LEE COUNTY BOARD OF COMMISSIONERS
MCSWAIN EXTENSION EDUCATION AND AGRICULTURE CENTER
2420 TRAMWAY ROAD
SANFORD, NC 27330

Monday, November 6, 2023
6:00 PM

A G E N D A

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

I. ADDITIONAL AGENDA

II. APPROVAL OF CONSENT AGENDA

II.A Emergency Operations Center, Audio/Visual Systems Upgrade Contract Approval

II.B Purchase Order for COLTS Vans Purchase

II.C Purchase of Jail Transport Van

II.D Minutes from the October 16, 2023 Regular Meeting

II.E NC Native Plant Society Grant Award

II.F Partnerships in Overdose Prevention and Harm Reduction Request for Applications (RFA)

II.G Budget Amendment #11/06/23/06

II.H OT Sloan Capital Project Ordinance

II.I Personnel Policy Update for Employee Travel

II.J Memorandum of Agreements with H3 and Helping Hands Clinic regarding Safe Syringe Program

III. PUBLIC COMMENTS

IV. OLD BUSINESS

IV.A Multi-Sport Complex Naming Options

V. NEW BUSINESS

V.A Cost Analysis of the Implementation of Microchipping Services at the Lee County Animal Shelter

V.B LCHD FY 23-24 Proposed Environmental Health Fee Changes

VI. MANAGERS' REPORTS

VI.A September 2023 Financial Report

VII. COMMISSIONERS' COMMENTS

ADJOURN

ITEM #: II.A

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Emergency Operations Center, Audio/Visual Systems Upgrade Contract Approval

DEPARTMENT: Emergency Management

CONTACT PERSON: Matt Britt, Emergency Management Coordinator

TYPE: Consent Agenda

REQUEST	Please approve awarding of attached contract to AVI SPL for the purposes of upgrading the Audio / Visual systems in the Emergency Operations Center, which is funded through the North Carolina Capacity Building Grant awarded to Lee County Emergency Management.
BUDGET IMPACT	Expense of 105,872.94 of 109,418.45 in awarded grant funds.
ATTACHMENTS	
PRIOR BOARD ACTION	The Board approved receipt of this grant in July of 2023.
RECOMMENDATION	Approve the awarding of the attached contract in the amount of $105,872.94 to AVI SPL for the purposes of upgrading the Lee County Emergency Operations Center.

SUMMARY

Emergency Management completed a Request for Proposal process for the purpose of selecting a vendor to complete the Emergency Operations Center upgrade project. AVI SPL was chosen, and project negotiations were completed in development of the attached contract for services. Please approve the award of the attached contract to vendor AVI SPL, which have been reviewed by the Lee County Attorney. A Request for Proposal was utilized to solicit proposals for this project. Upon close of the first cycle the project received one proposal. The project was then reopened for a second period, where it received three proposals. Unfortunately, two of those proposals were received after the closing date and time,

preventing the evaluation team from reviewing those submissions. The evaluation team was composed of the Emergency Management staff and a representative of Information Technology. A review of the submitted proposal was conducted, noting the proposal was within budget constraints and covered the majority of the requested project. Some changes to the video wall components were required to create a final project that met the needs of the Emergency Operations Center. A final proposal was submitted, meeting the requested changes and approved by the review committee.

ITEM #: II.B

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Purchase Order for COLTS Vans Purchase

DEPARTMENT: Senior Services

CONTACT PERSON: Melanie Rodgers,

TYPE: Consent Agenda

REQUEST	Approve the Purchase Order for two (2) replacement vans for the County of Lee Transit System.
BUDGET IMPACT	$22,272.55 - 10% Local Match required. Funds are budgeted in the FY 24 COLTS Capital budget line item. Total cost - $222,725.46.
ATTACHMENTS	FY24 LEE COUNTY ORDER FORM COLTS VEHICLES.pdf
PRIOR BOARD ACTION	NCDOT Capital Application Approval August 8, 2023.
RECOMMENDATION	Approve the Purchase Order for two (2) replacement vans for the County of Lee Transit System.

SUMMARY

NCDOT has authorized two (2) replacement vehicles for the COLTS operation for FY 24. These vans were eligible for replacement due to reaching 100,000 miles as of June 30, 2022. COLTS was authorized by NCDOT to prepare the order forms 9/19/23. Due to vehicle and supply shortages, vehicle delivery will be at least 6 months and could be more. Purchase cost - two (2) 20' Light Transit Vehicles with wheelchair lift, two (2) wheelchair station floor plan. Minimum ambulatory capacity 8 passengers. Maximum ambulatory capacity 10 passengers.

FY24 CTP REPLACEMENT CAPITAL
LIGHT TRANSIT VEHICLE (LTV) ORDER FORM
COACH & EQUIPMENT METAL BODY

SEND TO	INTERSTATE TRANSPORTATION SALES & SERVICE, INC. 1321 W. FAIRFIELD RD, STE 109 HIGH POINT, NC 27263	**POC** **FAX**	KEN MCDOWELL KRMCDOWELL@NORTHSTATE.NET (336) 803-3111 (336) 431-6114

CONTACT INFORMATION

PO #	Project no. 24-39-061		
DATE	9/19/2023		
NAME OF AGENCY	COUNTY OF LEE		
MAIN ADDRESS	408 SUMMIT DRIVE Sanford, NC 27330	**DELIVERY ADDRESS**	1807 Douglas Drive Sanford NC, 27330
POC	DEBBIE DAVIDSON, DDAVIDSON@LEECOUNTYNC.GOV 919-776-0501 EXT. 2216	**POC**	DEBBIE DAVIDSON 919-776-0501 EXT. 2216

FLOOR PLAN

QUANTITY	FLOOR PLAN	BASE PRICE	TOTAL PRICE
	A-1 13 PASSENGER PLUS DRIVER, NO LIFT	$89,641.22	$0.00
2	A-2 8 PASSENGER PLUS DRIVER, REAR LIFT	$97,317.53	$194,635.06
	B-2 14 PASSENGER PLUS DRIVER, REAR LIFT	$102,328.48	$0.00
	B-2 ALT 13 PASSENGER PLUS DRIVER, REAR LIFT	$101,919.37	$0.00
	C-2 17 PASSENGER PLUS DRIVER, REAR LIFT	$107,205.31	$0.00
	C-3 16 PASSENGER PLUS DRIVER, FRONT LIFT	$107,894.51	$0.00
	C-4 16 PASSENGER PLUS DRIVER, FRONT LIFT	$109,527.93	$0.00

BODY OPTIONS

	Ford Chassis Manufacturer's Service Manual/ CD	$305.06	$0.00
	Ford Manufacturer's Parts Manual/ CD	$188.24	$0.00
	Hubometer	$240.00	$0.00
	Donation Farebox, small approximately 8" x 8" x 8".	$650.00	$0.00
	Diamond NV Farebox with extra vault, or approved equal.	$2,220.19	$0.00
	Genfare Pacemaker Farebox with extra vault, or approved equal.	$3,369.96	$0.00
	GFI Odyssey Electronic Farebox or approved equal.	$18,975.00	$0.00
	Destination Sign, electric front roller, furnished with a minimum of 15 destinations. Transign Model D-3114 or approved equal.	$2,299.10	$0.00
	Destination Sign, electric side roller, furnished with a minimum of 15 destinations. Transign Model D-3114, or approved equal.	$3,204.11	$0.00
	Destination sign, front location, Digital Twin Vision MobiLite	$4,856.79	$0.00
	Destination sign, side location, Digital Twin Vision MobiLite	$3,822.00	$0.00
	Transit P.A. System to include amplifier, handheld microphone with 2 speakers in accordance with ADA requirements. REI, Jensen PA 500	$770.25	$0.00
	AM/FM/CD with PA System to inc. amplifier, handheld microphone and 4 speakers, in accordance with ADA requirements.	$1,397.28	$0.00
	Pull Cord, Stop Request Signal System.	$1,268.82	$0.00
	Touch Tape Stop Request Signal System.	$2,179.26	$0.00
	Fogmaker, an engine fire suppression system with water mist extinguishing system or approved equal.	$9,352.25	$0.00
	Amerex SMVS fire suppression system for small front engine vehicles or approved equal. ABC Dry Chemical.	$5,384.00	$0.00
	Two (2) 7" Round Red LED Auxiliary Brake Lights	$547.31	$0.00
2	Auxiliary Amber Strobe Light at rear door.	$557.20	$1,114.40
	Upgrade LTV Stepwell to 14 Gauge Stainless Steel with 10 Gauge Steps	$1,292.23	$0.00
	Upgrade LTV Door Frames to 14 Gauge Stainless Steel	$1,475.38	$0.00
	Ultra-sonic warning alarm mounted on bumper detects objects behind vehicle. Audible alarm with digital read-out alerts driver that object is in vehicle path. Intermotive HawkEye or approved equal.	$915.75	$0.00
	Automatic Heated side mirrors with turn signals. Same size as specification and with convex at bottom. Lucerix or Rosco mirrors	$426.73	$0.00
	Additional emergency escape windows. Price per window.	$246.24	$0.00
	Bike Rack. Stainless Steel, two position rack for front of LTV.	$3,349.00	$0.00

SEATING

	Seat Belt Extenders – 24" – EXTRAS - Not Installed.	$67.00	$0.00

	Q'Straint Quick Strap for mobility aid chairsl. Price strap individually; straps can be purchased in addition to ones that are standard with vehicle.	$36.63	$0.00
	Alternate driver's seat. USSC G2E-LP with armrest or approved equal.	$3,200.38	$0.00
	USSC G2E-LP with armrest and air suspension option, or approved equal.	$3,230.56	$0.00
	Alternate driver's seat. Recaro Ergo LXS or approved equal.	$2,221.20	$0.00
	A Double Three Step Foldaway seat to replace a permanent forward facing seat on any floor plan. Freedman Foldaway or approved equal	$1,027.46	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan A-1.	$856.10	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan A-2.	$814.00	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan B-2.	$1,058.15	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan C-2.	$1,187.48	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan C-3.	$1,472.20	$0.00
	Alternate seating. Freedman Feather Weight High Back Seats with side corner grab handles on aisle seats or approved equal. Price for forward facing seats and include appropriate Freeman Foldaway to compliment High Back seat. Price for Floor plan C-4.	$1,612.23	$0.00
	Freedman Integrated Child Seat (ICS) with grab handles on aisle seats to replace a permanent forward facing seat on any floor plan.	$1,476.04	$0.00
	WARRANTY		
	Extended Warranty Options: Plan 1 State if OEM or After Market	$5,970.00	$0.00
	Extended Warranty Options: Plan 2 State if OEM or After Market	$6,240.00	$0.00
	Extended Warranty Options: Plan 3 State if OEM or After Market	$7,030.00	$0.00
	LETTERING AND DECALS		
	Striping (Paint or vinyl strips)	$550.00	$0.00
	Two-tone (Paint or vinyl strips)	$750.00	$0.00
	Lettering (Pricing to be based on an average of 50, 4" size letters or numbers	$457.88	$0.00
	Logos (Price to included paint and labor.)	$500.00	$0.00
	Logo Decals (Price for Labor ONLY; Purchaser will Provide Decals.)	$200.00	$0.00
	CUSTOMER SPECIFIC CHANGE ORDER		
			$0.00
4	Q-Staint Automatic Tie Down restraint system per wheelchair	$5,849.00	$23,396.00
2	Lift Gate mfg by Grant's services	$1,790.00	$3,580.00
	Plexiglass shield behind driver	$278.77	$0.00
	Side mounted barrier with with or with sliding pocket door	$1,727.00	$0.00
			$0.00
			$0.00
			$0.00
			$0.00

TOTAL	$222,725.46
# OF BUSES	
GRAND TOTAL	$0.00

EXTERIOR COLOR THE BASIC BODY OF THE COACH AND EQUIPMENT PHOENIX IS WHITE.

SEAT FABRIC & CODE PREDICTIONS CLARET, 607

6" LETTERING (INCLUDE COLOR & STYLE IF APPLICABLE) N/A

STRIPING OR TU-TONE	N/A
VEHICLE TO BE TITLED TO	COUNTY OF LEE 408 SUMMIT DRIVE SANFORD, NC 27330

SIGNATURE: _____ DATE: _____

Integrated Mobility Division
TRANSMITTAL FORM

JWhite in Chief's SS approval date	Approved more than 7 days ago?	CU Number	Included in Cash Spend Plan?
	YES		YES

Date: 8/28/2023

From: Tanisha O'Keefe, Accounting Specialist — DocuSigned by: Tanisha O'Keefe CD78B865ECAC41C... Signature — 8/28/23 Date — DS mf

Ryan Brumfield, Director of Integrated Mobility Division — DocuSigned by: Ryan M. Brumfield 9AD984D4... Signature — 08/30/2023 Date

WBS#: 44637.53.3.3 **County:** Lee **Item:** Federal Agreement

Project Description: 24-39-061 Lee County will use funds for purchasing vehicles as outlined in the agreement

For Signature From:

Deputy Secretary of Multi-Modal Transportation — DocuSigned by: Julie White B3309F15DE4B46B... Signature — 08/31/2023 Date

Parties to the Agreement: Lee County Government Center

Estimated Cost to NCDOT: $208,915 Funding: Federal

$26,114 Funding: State

BOT Approval Date and Amount: April 5, 2023; $261,144

Award Letter Date(s): May 24, 2023

Previous BOT Approval Dates and Amounts (if applicable):

Additional information (screenshot of previous BOT date(s)):

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

September 5, 2023

Melanie Rodgers
COUNTY OF LEE
PO Box 1968
SANFORD, NC 27331-1968

Program No. P2024_CAPITAL
Agreement No. 2000070205
Application No. 1000016912
WBS Element No. 44637.53.3.3
Project No. 24-39-061

Dear Melanie Rodgers,

The agreement for the above project has been executed by the Deputy Secretary for Transit. The agreement sets forth the terms, procedures, guidelines and reporting requirements for executing the project in full compliance with the Federal and state rules and regulations. Any failure to provide documentation and make reasonable progress on the Project will be a violation of this Agreement and will provide sufficient grounds for the Department to deny funding and terminate the Agreement. It is critical that each Grantee thoroughly review the agreement and relate any questions or requests for assistance to NCDOT- Financial Management.

Key provisions of the agreement pertaining to period of performance, budget amendments/revisions, reporting of expenses and reimbursement and DBE/WBE policy are highlighted below.

- The period of performance shall extend from **07/01/2023 - 06/30/2025** . During this time allowable costs incurred during this period and the period covered will be eligible for reimbursement from the Department. Any requests to change the Period of Performance must be made in accordance with the policies and procedures established by the Department or FTA.

- Requests for budget revisions and budget amendments requests must be entered in the system and approved by NCDOT. Grantees are required to follow the Departments guidelines on procedures for requesting a budget revision or amendment.

- Grantees shall limit reimbursement for meals, lodging and travel to the rates established by the State of North Carolina Travel Policy. Costs incurred by grantees in excess of these rates shall be borne by the grantee.

- The policy of the Department of Transportation is to allow disadvantaged business enterprises, including minorities and women, to participate in federal and state financial assistance. We encourage you to use the DOT web site for subcontractors that are certified for DBE, MBE, and WBE at http://apps.dot.state.nc.us/vendor/directory and for Historically Underutilized Businesses

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
1550 MAIL SERVICE CENTER
RALEIGH, NC 27699-1550

Telephone: 919-707-4670
Fax: 919-733-1391
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

(HUBs) at http://www.doa.state.nc.us/hub/ when purchasing goods and services.

- Enter Subcontractor Payment when requesting claims.

- Based on the level of paperwork, NCDOT/Financial Management encourages grantees that are required to submit supporting documentation to elect to submit their requests for reimbursement on a monthly basis. Failure to request reimbursement within 30 days following the end of the period covered as outlined in the agreement may result in non-payment or termination of the project. **Request for reimbursement must include expenditures incurred during the period covered.**

  Each request for reimbursement must be accompanied by the following:

  1 A cover letter on Agency's letterhead;

  2 Advance payment form, if applicable;

  3 Xerox copy of checks (only for vehicle purchase or when requested);

  4 Original invoices supporting all claimed expenditures, if applicable **(all eligible expenditures must be highlighted and include expenses incurred during the period covered);**

- A copy of the agency's year-end audit report should be forwarded to this office after completion, but no later than one year after the audit period ends.

NCDOT looks forward to working with you on this transportation project. When communicating with NCDOT, please identify this project using the project number, WBS element, and agreement number referenced above on all correspondence. If you have any questions regarding the contract, claims or related matters please contact your assigned Mobility Development Specialist.

NC Department of Transportation
Public Transportation Division
Phone: 919-707-4670
1 South Wilmington Street
1550 Mail Service Center
Raleigh, North Carolina 27699-1550

ITEMS APPROVED AND ACTION TAKEN BY THE
LEE COUNTY BOARD OF COMMISSIONERS

MAY 17, 2022

FOR IMMEDIATE RELEASE

Contact: Jennifer Gamble, Clerk
Lee County Board of Commissioners
919-718-4605, Ext. 5507
jgamble@leecountync.gov

The Lee County Board of Commissioners Meeting in regular session on May 16, 2022 took action on the following matters:

The following items were approved on the **CONSENT AGENDA**:

- Lease Agreement for Gymnastics Building
- "Libraries as Community Hubs for Citizen Science Program" SciStarter Grant #2 2021-2022
- Opioid Settlement Services
- Activity 546 Communicable Disease Pandemic Recovery funds in the amount of $142,250 for the Communicable Disease Program
- Audit Contract
- County of Lee Transit System NCDOT Grant Application FY 2024
- Purchase of American made full body scanner
- Resolution Declaring Square D Equipment as Surplus Property
- Resolution Declaring SPX Cooling Equipment as Surplus Property
- Senior Services Home and Community Care Block Grant FY 2023
- Update on property located at 225 S. Steele Street
- Lee County Libraries Bright Ideas Grant Submission
- Capital Project Ordinance for Historic Courthouse Repairs and Renovations
- Budget Amendment #05/16/22/18
- Minutes from the April 18, 2022 Regular Meeting
- Minutes from the April 18, 2022 Closed Session
- Approval of disposition of vacant First Street 9643-71-7364-00

ITEM #: II.F

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: May 16, 2022

SUBJECT: County of Lee Transit System NCDOT Grant Application FY 2024

DEPARTMENT: Senior Services

CONTACT PERSON: Debbie Davidson, Senior Services Director

TYPE: Consent Agenda

REQUEST	Approve application process and sign documents for the COLTS FY 2024 Administrative and Capital Funding through NC DOT
BUDGET IMPACT	FY 24 allocations have not yet been released
ATTACHMENTS	Lee County Preapplication Approval Letter 2024.docx Signature Documents FY 24.pdf
PRIOR BOARD ACTION	FY 23 allocation is $315,144
RECOMMENDATION	Consent Agenda

SUMMARY

NCDOT administration has initiated a new process for grant applications beginning in FY 2024. The County of Lee Transit System has been approved to apply for Administrative and Capital funding for FY 2024. Preliminary signature documents are required. Some of these documents are due June 1, 2022 with the remaining documents due no later than October 7, 2022. A public hearing will be required along with other signature documents. Some of the forms are hard copy while others will be DocuSign to the Chair of the Lee County Board of Commissioners. Requesting that approval of these documents also approve other signature requirements as requested for the FY 2024 grant process.

ITEM #: II.C

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Purchase of Jail Transport Van

DEPARTMENT: Sheriffs Department

CONTACT PERSON: Susan Stone,

TYPE: Consent Agenda

REQUEST	Purchase a 2023 3500 Cargo Van High Roof for the jail for transports from Don Franklin Auto, Somerset KY.
BUDGET IMPACT	$54,423.00 was approved in the 2023 2024 Budget
ATTACHMENTS	Jail Van Quote.pdf
PRIOR BOARD ACTION	Approved in the FY 23-24 Budget.
RECOMMENDATION	Approve the purchase of 2023 3500 Cargo Van High Roof in the amount of $54,423.00.

SUMMARY

Approve the purchase of 2023 3500 Cargo Van High Roof Transport Van from Don Franklin Auto, Somerset KY 42501.

Don Franklin Auto
1147 S Hwy 27
Somerset KY 42501
Bill Jones

Quote/Invoice/Bid
QUOTE

County of Lee
1401 Elm St
Sanford NC 27330

ACCOUNT NUMBER	DATE
120716	10/18/2023
MASTER AGREEMENT MA 758	
2300000803	
AMOUNT	
$54,423.00	

DATE	DOCUMENT		AMOUNT
10/18/2023		2023 3500 Cargo Van High Roof	
		3C6MRVJG0PE547584	$54,423.00
			TOTAL
			$54,423.00

ITEM #: II.D

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Minutes from the October 16, 2023 Regular Meeting

DEPARTMENT: Administration

CONTACT PERSON: Hailey Hall,

TYPE: Action Item

REQUEST	Approve the Minutes from the October 16, 2023 Regular Meeting.
BUDGET IMPACT	N/A
ATTACHMENTS	BOC Regular Meeting Minutes_10-16-23 - HH.docx
PRIOR BOARD ACTION	N/A
RECOMMENDATION	Approve the Minutes from the October 16, 2023 Regular Meeting.

SUMMARY

A draft of the minutes from the October 16, 2023 regular meeting are attached for the Board's review and approval. For questions, contact the Clerk to the Board at hhall@leecountync.gov.

LEE COUNTY BOARD OF COMMISSIONERS
DENNIS WICKER CIVIC CENTER
1801 NASH STREET
SANFORD, NC 27330

October 16, 2023

MINUTES

Roll Call
Present: Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck, Dr. Andre Knecht, Robert Reives

CALL TO ORDER
Chairman Kirk Smith called the meeting to order at 6:00 p.m.

INVOCATION
Commissioner Cameron Sharpe led the Board and attendees in a moment of silence.

Commissioner Taylor Vorbeck arrived at 6:02 p.m.

PLEDGE OF ALLEGIANCE
Local Boy Scouts Pack #942 led the Board and attendees in the Pledge of Allegiance and each scout member also described what the Pledge means to them.

I. ADDITIONAL AGENDA

Chairman Smith asked that two items be added onto the agenda — item II.L Approval of Contract with Moseley Architects for the Jail Feasibility Study and VI.G Request from Bread of Life Ministries for Funding to Operate an Extreme Weather Shelter. Commissioner Robert Reives asked that items VI.C Approve proposal and contract for NC Fire Chief Consulting to conduct a Comprehensive Fire Services Study and Long-Range Plan, VI.D Resolution in Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life (Veteran Status), and VI.F Resolution In Support of the Consolidation of Eastpointe Human Services and Sandhills Center be added to the Consent Agenda.

Motion: Motion to approve the Agenda as amended.
Mover: Robert Reives
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck
Motion Result: Passed

II. APPROVAL OF CONSENT AGENDA

Motion: Motion to approve the Consent Agenda as amended.
Mover: Robert Reives
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck
Motion Result: Passed

II.A Minutes from the October 2, 2023 Regular Meeting.
BOC Regular Meeting Minutes_10-2-23 - JG.docx

II.B October 2, 2023 Closed Sessions Minutes

II.C Consider Appointing Rachelle Whitfield to the Consolidated Human Services Board

II.D Consider Appointing Keisha Douglas to the Americans with Disabilities Act (ADA) Board

II.E Consider Appointing Mary Ann Gaster as the Senior Services & COLTS Boards Designee on the Consolidated Human Services Board

II.F Emergency Management Request for Acceptance of Grant Funding
FY2023 HSGP award letter 2340029 Lee County.docx.pdf

II.G Acceptance of Bid for Automatic Gates at San-Lee Park
Bid Quotes.PDF
Bid Tab Sheet.PDF

II.H Award Bid for Project 6120-05R-24 Phase II Remodel at Gymnastics Building Bid Tabulation Sheet -Awarded.pdf

II.I Refund and Release Report for September 2023
Gen Statute 105.docx
RELEASE CODES SPREADSHEET.xls
September Personal Property.pdf
September Real Property Report.pdf

II.J Approval of Budget Amendment #10/16/23/05
Budget Amendment Packet 10-16-23.pdf

II.K Jail Cameras
camera sole source form.pdf

II.L Approval of Contract with Moseley Architects for the Jail Feasibility Study

B101-2017 - Lee County Detention Cntr Study Final (1) (5) (1) (1) - Final - (1).pdf Contract Addendum.docx

II.M Approve proposal and contract for NC Fire Chief Consulting to conduct a Comprehensive Fire Services Study and Long-Range Plan
Moved from New Business.

Fire Services Study Agreement
NC FIRE CHEIF CONSULTING.pdf

II.N Resolution in Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life (Veteran Status)
Moved from New Business.

Resolution_Supporting_Operation_Green_Light_10-16-23 (1).docx

II.O Resolution In Support of the Consolidation of Eastpointe Human Services and Sandhills Center
Moved from New Business.
Resolution_Supporting_Consolidation_of_Eastpointe_Human_Services_and_Sandhil

III. PUBLIC HEARING

III.A Request to Hold Public Hearing for the FY 25 Lee County Community Transportation Program Mobility Manager Application

Senior Services/COLTS Director Debbie Davidson requested the Board hold a Public Hearing for the FY 25 Lee County Community Transportation Program Mobility Manager Application. The Board previously held a Public Hearing at the September 18th meeting for a part-time Mobility Manager position; however, NCDOT is now offering the opportunity to apply for funding to pay for one full-time and one part-time position. At the recent Lee County Government Opioid Crisis Community Forum, transportation was mentioned as an obstacle for individuals seeking treatment. COLTS offers Medicaid transportation.

Chairman Smith opened the public hearing at 6:08 p.m.

No one spoke in favor or in opposition.

Chairman Smith closed the public hearing at 6:09 p.m.

LEECOUNTY.FY25.Public Hearing Notice MM.docx
Lee County.FY25.Public Hearing Notice Spanish MM.docx
5f - FY2025 LocalShareCertification_COUNTYOFLEE Revised.docx

IV. PUBLIC COMMENTS

- Thomas C. Booher, 119 Fore View Lane (Ordinance Proposal)
- Thomas F. Booher, 120 Beechleaf Court, Cameron (Ordinance Proposal)
- Deborah Matthews, 1424 Pickett Road (Ordinance Proposal)

V. OLD BUSINESS

There was no Old Business to discuss.

VI. NEW BUSINESS

VI.A Request for Relief of Late Listing Penalty - LTR Products, LLC

Tax Administrator Michael Brown presented a Request for Relief of Late Listing Penalty for LTR Products, LLC. The taxpayer mailed a letter requesting relief from the late listing penalty, which was received by the Tax Office on August 21, 2023. Per NCSG 105- 307(a), a taxpayer is required to file a listing with the Tax Office by January 31. No extension to list was requested by the taxpayer. The taxpayer filed a listing with the Tax Office on March 7, 2023. Since the listing was filed late, a 10% penalty was applied to properties that are late listed. The penalty in this matter by the County is $7,074.07. After a review of the resolution, the taxpayer does meet 1.c, where the listing was filed between 31 and 59 days. With that, the penalty could be reduced up to 25%. If reduced by 25%, the penalty would be $5,305.55. If the Board follows the policy, under item 2 the penalty would be held to a maximum penalty of $5,000. Since the taxpayer is a new taxpayer, there have been no prior late listings. Also, this taxpayer is not receiving any economic development incentive grants by the County.

LTR Letter Requesting Relief of Late List Penalty.pdf
Business Listing Form - LTR Products LLC.pdf
2023 Bill.pdf
LTR Bill Inquiry.docx
Late Listing Penalty Resolution (Rev. 10.4.2021).pdf
NCGS 105-307.docx
NCGS 105-312.docx

Motion: Motion to apply a late listing penalty for LTR products, LLC in the amount of $5,000.
Mover: Cameron Sharpe
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck
Motion Result: Passed

VI.B Request for Relief of Late Tax Listing Penalty - Ascentia - Pine Village MHC LLC *Tax Officer Michael Brown presented a Request for Relief of Late Listing Penalty for Ascentia - Pine Village MHC LLC. Per NCGS 105-307(a), a taxpayer is required to file a listing with the tax office by January 31, which the taxpayer did. Pursuant to state statute, extensions are granted until March 15. The taxpayer filed a listing with the Tax Office that was postmarked March 16 and received on March 21. Since the listing was filed late, a 10% penalty was applied to properties that were late listed. The penalty in this matter by the County is $2,465.94. After review of the resolution, the taxpayer does meet 1.b, where the listing was filed within 30 days of the extension date. With that, the penalty could be reduced by up to 50%. If reduced by 50%, the penalty would be $1,232.97. The taxpayer has not had any other late listing penalties in the last five years. The taxpayer is not receiving an economic development incentive grant by the County.*

Ascentia Letter Requesting Relief of Late List Penalty.pdf
Ryan letter for Ascentia Letter Requesting Relief of Late List Penalty.pdf
2023 Business Property Listing.pdf
2023 Bill.pdf
Bill Inquiry.pdf
Late Listing Penalty Resolution (Rev. 10.4.2021).pdf
NCGS 105-307.docx
NCGS 105-312.docx

Motion: Motion to apply a late listing penalty for Ascentia – Pine Village MHC, LLC in the amount of $1,232.97.
Mover: Dr. Andre Knecht
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck
Motion Result: Passed

VI.C Approve proposal and contract for NC Fire Chief Consulting to conduct a Comprehensive Fire Services Study and Long-Range Plan

Moved to the Consent Agenda.

Fire Services Study Agreement
NC FIRE CHEIF CONSULTING.pdf

VI.D Resolution in Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life (Veteran Status)

Moved to the Consent Agenda.

Chairman Smith read aloud the resolution.

Resolution_Supporting_Operation_Green_Light_10-16-23 (1).docx

VI.E Per Diem Policy for the Board of Commissioners

Commissioner Bill Carver asked to discuss the Per Diem Policy for the Board of Commissioners. His proposal would change the currently allowed flat rate of $150 per travel day for Commissioners to follow the federal per diem rates that County employees utilize when traveling. County Manager Lisa Minter said the flat rate is taxable and was established back in the early 1990s, and been in place since. The City of Sanford also offers a flat rate for Commissioners for national travel and has it incorporated into their personnel policy. Ms. Minter noted that while employees follow the federal per diem rates, they could technically pocket money based on their eatery choices. The City allows the City Council members and staff a flat rate of $150 for national conference travel. Commissioner Robert Reives offered an amendment to choose either the flat rate or the federal per diem rates, and to modify County policy to be in line with what the City has in place.

Fwd_ Per diem.pdf

Motion: Motion to change the policy on per diem for Commissioners by providing reimbursement in accordance with current Federal Meal and Incidental Expenses Per Diem Rates, consistent with the requirements and travel procedures for the county staff.
Mover: Bill Carver

Action was not taken on the motion due to the passage of an amended motion.
Motion: Motion to amend the original motion by allowing Lee County Commissioners and accompanying staff to utilize either a taxable flat rate of $150 per full day of travel or the federal per diem rate when traveling to national conferences, and to include this language in the County personnel policy.
Mover: Robert Reives
For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck
Against: 1 - Bill Carver
Motion Result: Passed

VI.F Resolution In Support of the Consolidation of Eastpointe Human Services and Sandhills Center
Moved to the Consent Agenda.

Resolution_Supporting_Consolidation_of_Eastpointe_Human_Services_and_Sandhil

VI.G Request from Bread of Life Ministries for Funding to Operate an Extreme Weather Shelter
Chairman Kirk Smith asked that this item be added to the Agenda. County Manager Lisa Minter presented the request from Bread of Life Ministries for potential funding to operate an Extreme Weather Shelter in the amount of $21,600 for general staffing. Ms. Minter had not brought this to the Board's attention sooner because the City of Sanford received the initial request, which is on the Council's agenda for their meeting tomorrow. Ms. Minter recommends that the Board wait to see what the City decides to do with the request. Commissioner Carver mentioned that the recent reallocation of $500,000 that non-profits may apply for could be used for this request. Ms. Minter said the $500,000 is split into two pools of $250,000 each and this consideration would not be eligible for consideration based on the eligible criteria list. All of this information was provided at the information session for non-profits at the October 6th meeting.
BOLM and S3 letters.pdf
Motion: Motion to table this item until a decision is made by the Sanford City Council.
Mover: Mark Lovick
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver,
Mark Lovick, Taylor Vorbeck
Motion Result: Passed

VII. MANAGERS' REPORTS

VII.A July 2023 Sales Tax Report
Finance Director Candace Iceman provided the sales tax report for July of 2023. The County sales tax revenue is down 11.66% compared to this time last year. The overall collections are up by 3%, but the County's refunds had significantly

increased due to a large refund in the month of July. Staff will continue to monitor collections and report any concerns to the Board.
July 2023 Sales Tax Report.pdf

VII.B County Manager's Monthly Report for October 2023

County Manager Lisa Minter provided her monthly report for October of 2023, a copy of which is attached and incorporated into these minutes. Ms. Minter also reminded the Board that the Multi-Sports Complex naming form is still open through next Friday, October 27. She would also like the Board to consider moving the December 4 meeting time to 4 p.m. rather than 6 p.m. after a request was made to move it to accommodate those who would like to participate in the Sanford Christmas Parade that evening. Ms. Minter asked the Board if they would like to change the January meeting dates to the second and fourth Monday nights due to the New Year's Day and Martin Luther King, Jr. Day holidays. Ms. Minter said she and staff are in conversations with the City if Sanford to partner on the micro transit system and to move forward with the grant for it.
County_Managers_Monthly_Report_October_16_2023.docx LCL Board Meeting Minutes 8.16.23 APPROVED.pdf LCL Board Meeting Minutes 8.30.23 APPROVED.pdf LCL 9.13.23 Board By-Laws updated & approved.pdf Lee County Libraries Strategic Plan 2023-2028 (6).pdf TRC Agenda [10.03.23].pdf Permits_MONTHLY REPORT SEPTEMBER 2023.pdf Monthly Tax Report September 2023.docx

Motion: Motion to move the time of the December 4, 2023 Board of Commissioners meeting from 6 p.m. to 4 p.m.
Mover: Cameron Sharpe
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver,
Mark Lovick, Taylor Vorbeck
Motion Result: Passed

Motion: Motion to move the January 2024 Board of Commissioner meeting dates to second and fourth Monday nights due to the New Year's Day and Martin Luther King, Jr. holidays.
Mover: Robert Reives
For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver,
Mark Lovick, Taylor Vorbeck
Motion Result: Passed

VIII. COMMISSIONERS' COMMENTS

ADJOURN

Motion: Motion to adjourn. The Board adjourned at 7:20 p.m.
Mover: Dr. Andre Knecht

For: 7 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Bill Carver, Mark Lovick, Taylor Vorbeck
Motion Result: Passed

_____
Kirk Smith, Chairman
Lee County Board of Commissioners

ATTEST:

_____
Hailey Hall, Clerk to the Board

ITEM #: II.E

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: NC Native Plant Society Grant Award

DEPARTMENT: Parks and Recreation

CONTACT PERSON: Joseph Keel, Parks and Recreation Director

TYPE: Consent Agenda

REQUEST	To approve the NC Native Plant Society Grant.
BUDGET IMPACT	n/a
ATTACHMENTS	BW Wells award letter Morgan Koble.pdf Grant Obligations.pdf
PRIOR BOARD ACTION	n/a
RECOMMENDATION	Approve the NC Native Plant Society Grant Award.

SUMMARY

Lee County Parks and Recreation was awarded the NC Native Plant Society Grant through the B.W. Wells Stewardship Fund on October 14th. The grant award is for $600 to go towards upgrades at the San-Lee Park Native Pollinator Garden. There is no match for this grant.



North Carolina Native Plant Society

Promoting the enjoyment and conservation of North Carolina's native plants and their habitats through education, protection, propagation, and advocacy since 1951

Lee County Parks and Recreation
Morgan Koble
760 Pumping Station Rd
Sanford, NC 27330

Oct 14 2023

Dear Morgan,

I am pleased to inform you that Lee County Parks and Recreation has been awarded a grant from the North Carolina Native Plant Society's B. W. Wells Stewardship Fund for signage and other upgrades for the San-Lee Park Native Pollinator Garden. Congratulations! Your award check for $600 will be mailed soon.

We would like to remind you of the grant obligations, which are listed in the attached document. Please let me know if you have any problem with meeting these stipulations.

We wish you the best success on your project!

Sincerely,

Debra Murray
Chair, Grants and Scholarship Committee

Attchmt: BW Wells Fund Recipient Obligations
cc: Diane Laslie, Ken Bridle



North Carolina
Native Plant Society

Obligations of B.W. Wells Stewardship Grant Recipients

- The grant recipient will acknowledge the B. W. Wells Stewardship Fund and the NC Native Plant Society, including the website http://www.ncwildflower.org, in event publicity, printed materials, and signage, as practicable.

- The grant recipient will report any significant change to the project start and end dates or budget requirements to the NCNPS Grants & Scholarships Committee Chair.

- Upon completion of the project, the grant recipient will submit a report with relevant photograph(s) to be published in *Native Plant News,* the newsletter of the NCNPS, and also possibly on the NCNPS website and shared on social media. Please submit the report and photo(s) to grantsscholarships@ncwildflower.org

- The grant recipient is encouraged to lead a field trip for a local chapter of NCNPS members to the project site, if appropriate. Local chapters are listed on the NCNPS website.

ITEM #: II.F

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Partnerships in Overdose Prevention and Harm Reduction Request for Applications (RFA)

DEPARTMENT: Health

CONTACT PERSON: Heath Cain, Health Department Director

TYPE: Consent Agenda

REQUEST	This request is to allow the Health Department to apply for the RFA mentioned above.
BUDGET IMPACT	Additional funding at a minimum award of $25,000 annually; maximum $90,000 annually each year for up to four years; no County match.
ATTACHMENTS	RFA_A_409.pdf
PRIOR BOARD ACTION	N/A
RECOMMENDATION	The Health Department is requesting the Commissioners to approve applying for the above-mentioned RFA.

SUMMARY

The purpose of this RFA A#409: Partnerships in Overdose Prevention and Harm Reduction (POPHR) is to fund community-based organizations and local health departments to expand linkages to care for people who use drugs and integrate equity for addressing overdose prevention, polysubstance use, wound care, and related issues. Linkages to care will be expanded through implementation of established harm reduction strategies like drug checking, supporting syringe services programs, expanding justice-involved programs, and promoting peer-led post-overdose teams. Through direct funding, this RFA will support selected programs to hire staff, including peer support specialists, to connect people who use drugs to

harm reduction services, evidence-based substance use disorder treatment, healthcare, and other services. The CHSA Board approved this at the October 18, 2023 meeting.

William Heath Cain

From: Injury and Violence Prevention Branch <sara.j.smith+dhhs.nc.gov@ccsend.com>
Sent: Monday, October 9, 2023 9:40 AM
To: William Heath Cain
Subject: Update! Request for Applications RFA for Overdose Release Funding Opportunity for North Carolina Agencies to Address the Overdose Crisis Through Partnerships and Harm Reduction Strategies (RFA#A409)

CAUTION: External Email. Do not click links or open attachments unless verified. For all suspicious emails, please use the Phish Alert Report Button to submit for review. Thank you!

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Public Health

Partnerships in Overdose Prevention and Harm Reduction Request for Applications (RFA)

Release of Request for Applications (RFA) #A409: Partnerships in Overdose Prevention and Harm Reduction (POPHR)

This email is to inform you that the Injury and Violence Prevention Branch (IVPB) at the North Carolina Division of Public Health (NC DPH) just released a new funding opportunity Request for Applications (RFA) today, Monday, October 2, 2023.

This RFA entitled *"Partnerships in Overdose Prevention and Harm Reduction"* will be open to nonprofit organizations and government agencies in North Carolina to expand linkages to care for people who use drugs and integrate equity for addressing overdose prevention, polysubstance use, wound care, and related issues.

The deadline to apply is **November 30, 2023 at 5:00 PM Eastern Time.** Please see below for more information, and note that we are unable to answer any questions until the Bidder's Conference on Monday, October 16 at 2 pm ET.

RFA Name: Partnerships in Overdose Prevention and Harm Reduction
RFA Number: A409
Release Date: Monday, October 2, 2023
Application Deadline: Thursday, November 30, 2023
Bidder's Conference (Informational Webinar with Q&A): Monday, October 16 at 2:00pm ET

Eligibility: private, non-profit 501(c)(3) organizations and public or local governmental agencies, including colleges and universities, located and licensed to conduct business in the state of North Carolina
Project Period: June 1, 2024 - August 31, 2027
Anticipated Contract Award Periods (4):

- June1, 2024 – August 31, 2024
- September 1, 2024 – August 31, 2025
- September 1, 2025 – August 31, 2026
- September 1, 2026 – August 31, 2027

Maximum Award per Contract Award Period: $90,000 annually
Minimum Award per Contract Award Period: $25,000 annually
Q&A Period #1 ends: October 23, 2023 with answers posted on November 6.
Final Q&A Period #2 ends: November 13, 2023 with answers posted on November 27.

Contact Email Address: beinjuryfreenc@dhhs.nc.gov

The purpose of this RFA A#409: Partnerships in Overdose Prevention and Harm Reduction (POPHR) is to fund community-based organizations and local health departments to expand linkages to care for people who use drugs and integrate equity for addressing overdose prevention, polysubstance use, wound care, and related issues. Linkages to care will be expanded through implementation of established harm reduction strategies like drug checking, supporting syringe services programs, expanding justice-involved programs, and promoting peer-led post-overdose teams. Through direct funding, this RFA will support selected programs to hire staff, including peer support specialists, to connect people who use drugs to harm reduction services, evidence-based substance use disorder treatment, healthcare, and other services.

Description:

Applicants will select at least one of the following strategies to implement in their proposals:

Strategy 1: Support Efforts for Drug Checking and Prevention of Overdose from Multiple Substances by increasing real-time understanding of the drug supply and improve timely reporting of emerging drug threats.

Strategy 2: Establish or Expand Substance Use-Related Wound Care Services and Protocol through a comprehensive approach including education, prevention, detection, and monitoring to promote cost-effective and whole person-centered care.

Strategy 3: Establish or Strengthen Post-Overdose Response Teams (PORTs) led by community-based organizations with experience working with people directly impacted by drug use to prevent repeat overdose and connect those who have had a non-fatal overdose to harm reduction, social/health services, including housing, employment, food access, and treatment and recovery supports.

Strategy 4: Support and Expand Syringe Service Programs (SSPs) through a host organization with experience working with people directly impacted by drug use, including active SSPs. These organizations may be community-based nonprofit organizations, faith communities, local health or human services departments, pharmacies, or other entities with relevant experience.

Strategy 5: Expand Services to Justice-Involved Populations including jail-based programming like pre- and post-arrest diversion programs, reentry programing to refer individuals to care once released from incarceration, distributing education materials to incarcerated populations, and expansion of treatment and recovery services specific to incarcerated or previously incarcerated individuals.

Strategy 6: Expand Harm Reduction Services with Organizations Serving Historically Marginalized and High-Risk Populations by incorporating overdose prevention and harm reduction into existing community-based organizations, particularly those providing other support services to populations that intersect with the drug user population.

Successful applicants will be eligible for funding for up to 39 months from June 1, 2024, to August 31, 2027. Applicants may request up to $90,000 annually per contract period. It is anticipated that up to eleven applicants will be awarded through this application. Cost sharing or matching funds are not required.

Date for Bidder's Conference: Monday, October 16, 2023 at 2:00PM EST by clicking here at this date and time. A separate reminder with access information will also be sent closer to the date.
Date for Posting Answers from Q&A Period #1: Monday, November 6, 2023
Date for Posting Answers from Q&A Period #2: Monday, November 27, 2023

Note that we cannot answer questions about this RFA until theQ&A posting dates of November 6th and November 27th. We will collect questions in the meantime, and we will answer what we can during the Q&A Webinar on October 16th. Please use beinjuryfreenc@dhhs.nc.gov for any RFA #A409 communications.

The RFA document, budget template, and project narrative worksheet will be posted on the DHHS Grant Opportunities website and on the Injury and Violence Prevention Branch webpage.

Injury and Violence Prevention Branch | NC Division of Public Health, Injury and Violence Prevention Branch, MSC 1915,
Raleigh, NC 27699

Unsubscribe hcain@leecountync.gov

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ITEM #: II.G

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Budget Amendment #11/06/23/06

DEPARTMENT: Finance

CONTACT PERSON: Jen Waterhouse,

TYPE: Consent Agenda

REQUEST	Approve Budget Amendment #11/06/23/06.
BUDGET IMPACT	See below.
ATTACHMENTS	Budget Amendment Packet 11-06-23.pdf
PRIOR BOARD ACTION	NA
RECOMMENDATION	Approve Budget Amendment #11/06/23/06.

SUMMARY

Legal: Appropriate fund balance ($500,000) to various lines for the health and well being initiative programs. Social Services: Appropriate fund balance ($1,500) to off set salaries for Medicaid expansion; ($375,444) carry forward of unspent funds from FY 23. Multi-Sports Complex: Appropriate additional funds from bond sales ($2,000,000) and adjusting line items for the multi-sports complex.

MEMO TO: LEE COUNTY BOARD OF COMMISSIONERS

FROM: LISA MINTER, LEE COUNTY MANAGER

SUBJECT: BUDGET AMENDMENT:# 11/06/23/06

DATE: November 06, 2023

SECTION I. THE FOLLOWING GENERAL FUND (1100) *REVENUE INCREASES* ARE HEREBY APPROVED:

DEPARTMENT	ACCOUNT #	DESCRIPTION	CURRENT BUDGET	CHANGE	NEW BUDGET
FUND BALANCE	1100-3990-39900	FUND BALANCE APPROPRIATED	4,060,471	876,944	4,937,415
		TOTAL CHANGES		**876,944**	

SECTION II. THE FOLLOWING GENERAL FUND (1100) *EXPENSE INCREASES* ARE HEREBY APPROVED:

DEPARTMENT	ACCOUNT #	DESCRIPTION	CURRENT BUDGET	CHANGE	NEW BUDGET
COUNTY ATTORNEY	1100-4150-43961	CONTRACTED SERVICES-MEDICAL	-	250,000	250,000
COUNTY ATTORNEY	1100-4150-43120	PROFESSIONAL SERVICES-LEGAL	40,000	250,000	290,000
SOCIAL SERVICES	1100-5312-41200	SALARIES AND WAGES	5,704,884	1,500	5,706,384
SOCIAL SERVICES	1100-5313-47210	OTHER CLEARING ACCOUNT	500	328	828
SOCIAL SERVICES	1100-5313-47616	ADOPTION ENHANCEMENT	15,000	296,680	311,680
SOCIAL SERVICES	1100-5313-47260	FUND FOR THE ELDERLY	5,000	74,122	79,122
SOCIAL SERVICES	1100-5312-47034	CEMC	2,500	362	2,862
SOCIAL SERVICES	1100-5313-47200	DAY CARE FUNDS	5,000	3,952	8,952
		TOTAL CHANGES		**876,944**	

SECTION III. THE FOLLOWING MULTI SPORTS COMPLEX PROJECT FUND (4839) REVENUE *INCREASES* ARE HEREBY APPROVED:

DEPARTMENT	ACCOUNT #	DESCRIPTION	CURRENT BUDGET	CHANGE	NEW BUDGET
MS COMPLEX	4839-3930-38533	OTHER REVENUE	-	2,000,000	2,000,000
		TOTAL CHANGES		**2,000,000**	

SECTION IV. THE FOLLOWING MULTI-SPORTS COMPLEX PROJECT FUND (4839) *EXPENSE INCREASES* ARE HEREBY APPROVED:

DEPARTMENT	ACCOUNT #	DESCRIPTION	CURRENT BUDGET	CHANGE	NEW BUDGET
MS COMPLEX	4839-8100-46411	CAPITAL OUTLAY $5000 AND ABOVE	-	3,200,000	3,200,000
MS COMPLEX	4839-8100-46100	ISSUANCE COST	650,000	95,000	745,000
MS COMPLEX	4839-8100-46180	OTHER EXPENSES	84,500	1,285,000	1,369,500
		TOTAL CHANGES		**4,580,000**	

SECTION V THE FOLLOWING MULTI SPORTS COMPLEX PROJECT FUND (4839) *EXPENSE DECREASES* ARE HEREBY APPROVED:

DEPARTMENT	ACCOUNT #	DESCRIPTION	CURRENT BUDGET	CHANGE	NEW BUDGET
MS COMPLEX	4839-8100-46300	GENERAL CONSTRUCTION	31,733,285	1,170,792	30,562,493
MS COMPLEX	4839-8100-46900	CONTINGENCY	3,058,578	1,409,208	1,649,370
		TOTAL CHANGES		**2,580,000**	

KIRK SMITH, CHAIR

HAILEY HALL, CLERK TO THE BOARD

ITEM #: II.H

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: OT Sloan Capital Project Ordinance

DEPARTMENT: Finance

CONTACT PERSON: Candace Iceman, Finance Director

TYPE: Consent Agenda

REQUEST	Review and approve the attached capital project ordinance for the OT Sloan Accessibility Park project.
BUDGET IMPACT	This project is primarily funded by an Accessibility for Parks (AFP) grant awarded for $412,109. The required County match of $100,000 will be funded from ARPA Revenue Loss Funds.
ATTACHMENTS	OT Sloan Accessibility Park Project Ordinance.pdf
PRIOR BOARD ACTION	The Board approved acceptance of the AFP Grant Award at their May 1, 2023 meeting.
RECOMMENDATION	Review and approve the attached capital project ordinance for the OT Sloan Accessibility Park project.

SUMMARY

Capital project ordinance is being established to use the $412,109 Parks and Recreation Accessibility for Parks Grant and $100,000 from Revenue Loss for the grant match to design and build accessible facilities that meet the unique needs of children with physical and developmental disabilities.

COUNTY OF LEE, NORTH CAROLINA
OT SLOAN ACCESSIBILITY PARK
CAPITAL PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Lee County Board of Commissioners that the following budget for the OT SLOAN ACCESSIBILITY PARK is hereby approved and adopted:

Section 1: The following amounts are hereby appropriated for the OT Sloan Accessibility Park for the period November 6, 2023 to May 31, 2026, according to the following schedule and summary.

Section 2: That for said project period there is hereby appropriated the following:

REVENUE

SOURCE	AMOUNT
Parks and Recreation Accessibility for Parks Grant (AFP)	$ 412,109
Transfer from Capital Projects	100,000
TOTAL PROJECT REVENUES	$ 512,109

EXPENSE

SOURCE	AMOUNT
Architect/Engineering	$ 83,250
General Construction	396,860
Other Expenses	12,199
Contingency	19,800
TOTAL PROJECT EXPENSES	$ 512,109

Section 3. Copies of this budget shall be furnished to the Finance Officer of Lee County, North Carolina, to be kept on file for direction in collection of revenue and expenditures of amounts appropriated.

ADOPTED this 6th day of November, 2023.

_____
Kirk D. Smith, Chairman

Attest:

_____
Hailey Hall, Clerk to the Board

ITEM #: II.I

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Personnel Policy Update for Employee Travel

DEPARTMENT: Human Resources

CONTACT PERSON: Meta McCune, Human Resources Director

TYPE: Consent Agenda

REQUEST	Add the Alternate Per Diem Policy for the Board ofÂ Commissioners to Travel Policy B10.
BUDGET IMPACT	N/A
ATTACHMENTS	B.10 Employee Travel.doc
PRIOR BOARD ACTION	Per the Board of Commissioner's Action Item from October 16, 2023 meeting.
RECOMMENDATION	Add the Alternate Per Diem Policy for the Board of Commissioners to Travel Policy B10.
SUMMARY	

Add the Alternate Per Diem Policy for the Board ofÂ Commissioners to Travel Policy B10. Changes to the Personnel Policy are shown in red.

ITEM #: II.J

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Memorandum of Agreements with H3 and Helping Hands Clinic regarding Safe Syringe Program

DEPARTMENT: Health

CONTACT PERSON: Whitney Parrish ,

TYPE: Consent Agenda

REQUEST	Approve the Memorandum of Agreements with H3 and Helping Hands Clinic regarding Safe Syringe Program.
BUDGET IMPACT	Minimal expense (thru Health Education Funding Agreement Addendum) which will prevent short-term and long-term economic challenges to those who need to be treated for substance use. The Healthy Communities Agreement Addendum funding was for $34,178.00 and $2,017.00 was spent on harm reduction kits, which created 900 kits that we have onsite already put together.
ATTACHMENTS	SS MOA Helping Hand.pdf SSP MOA for H3 (3).pdf
PRIOR BOARD ACTION	The grant to purchase the kits was approved through the health education grant through the budget ordinance adoption in 2023.
RECOMMENDATION	Approve the Memorandum of Agreements with H3 and Helping Hands Clinic regarding Safe Syringe Program.

SUMMARY

The Health Department, through the public health agreement addendum, received grant funds

from the state that allowed the County to purchase supplies for harm reduction kits. H3 and Helping Hands Clinic have agreed to enter into a Memorandum of Agreement with the Lee County Health Department, whereby the County will provide the kits to H3 and the Helping Hands Clinic for them to use as outreach to help the needs of our underserved population. These kits will help to reduce infectious disease transmission by providing sterile supplies and information about community services to those in need. The Board is being asked to approve the two MOAs and authorize the Health Director to sign.

Memorandum of Agreement between Helping Hand Clinic, Inc. and Lee County Health Department

This Memorandum of Agreement (MOA) between the Lee County Health Department and Helping Hand Clinic, Inc. outlines the responsibilities and expectations regarding the Safe Syringe Program (SSP). Lee County Health Department was awarded a state grant to implement a Safe Syringe Program and promote harm reduction practices. Helping Hand Clinic, Inc. will participate in the program by distributing Safe Syringe supplies and educational material to participants and by collecting used supplies. This Memorandum of Agreement will be effective on November ____, 2023 and expire June 30, 2024. Both parties agree as follows:

Lee County Health Department agrees to:

1. Adhere to Lee County SSP safety plan, polices, and procedures. Provide bloodborne pathogen training through Stericycle to Helping Hand Clinic, Inc. members and Lee County employees who will be participating in the program.
2. Report annual data and maintain annual North Carolina Safer Syringe Initiative (NCSSI) registration requirements.
3. Provide program supplies including sharps boxes, syringe kits, information, educational materials, and local resources to Helping Hand Clinic, Inc. for distribution.
4. Provide program participation cards for Helping Hand Clinic, Inc. to distribute to SSP participants.
5. Inform Helping Hand Clinic, Inc. of sharps box pick-up days and provide a regulated medical waste-trained staff member to pick up used syringe sharps boxes from the Clinic. Arrange additional collection times between the parties as needed.
6. Safely transport and dispose of used syringe sharps boxes through the Stericycle mail back system.

Helping Hand Clinic, Inc. agrees to:

1. Adhere to Lee County SSP safety plan, polices, and procedures, including the participation in bloodborne pathogen training provided by Stericycle by members participating in the program.
2. Record necessary data required for NCSSI annual registration requirements by utilizing the provided “Intake” and “Encounter” participant forms.
3. Manage the physical location and ensure the security and safety of the syringe sharps box. Ensure that used syringes are properly placed into a sharps box by the participant. Ensure that Helping Hand Clinic, Inc. workers are knowledgeable about syringe safety procedures and risks.
4. Distribute the safe syringe kits that include information, education, and local resources provided by the Lee County Health Department to program participants.
5. Distribute participation cards provided by the Lee County Health Department to program participants.

6. Ensure and train its participating employees and volunteers about the inherent danger associated with used needles and paraphernalia and acknowledge and voluntarily agree to accept the inherent risk by participating in this program.
7. Helping Hand Clinic, Inc. agrees to indemnify and hold harmless Lee County Government and the Lee County Health Department from and against all claims, damages or expenses arising from this agreement.

Both parties agree that this agreement can be terminated at any time giving the other party thirty days written notice. The parties agree to these terms by their signatures below.

_____ _____

Helping Hand Clinic, Inc. Date

Title _____

_____ _____

Lee County Health Department Date

Lee County Health Director

Memorandum of Agreement between H3 Health Healing Hope and Lee County Health Department

This Memorandum of Agreement (MOA) between the Lee County Health Department and H3 Health Healing Hope (H3) outlines the responsibilities and expectations regarding the Safe Syringe Program (SSP). Lee County Health Department was awarded a state grant to implement a Safe Syringe Program and promote harm reduction practices. H3 will participate in the program by distributing Safe Syringe supplies and educational material to participants and by collecting used supplies. This Memorandum of Agreement will be effective on November ____, 2023 and expire June 30, 2024. Both parties agree as follows:

Lee County Health Department agrees to:

1. Adhere to Lee County SSP safety plan, polices, and procedures. Provide bloodborne pathogen training through Stericycle to H3 members and Lee County employees who will be participating in the program.
2. Report annual data and maintain annual North Carolina Safer Syringe Initiative (NCSSI) registration requirements.
3. Provide program supplies including sharps boxes, syringe kits, information, educational materials, and local resources to H3 for distribution.
4. Provide program participation cards for H3 to distribute to SSP participants.
5. Inform H3 of sharps box pick-up days and provide a regulated medical waste-trained staff member to pick up used syringe sharps boxes from H3. Arrange additional collection times between the parties as needed.
6. Safely transport and dispose of used syringe sharps boxes through the Stericycle mail back system.

H3 Health Healing Hope agrees to:

1. Adhere to Lee County SSP safety plan, polices, and procedures, including the participation in bloodborne pathogen training provided by Stericycle by members participating in the program.
2. Record necessary data required for NCSSI annual registration requirements by utilizing the provided “Intake” and “Encounter” participant forms.
3. Manage the physical location and ensure the security and safety of the syringe sharps box. Ensure that used syringes are properly placed into a sharps box. Ensure that H3 workers are knowledgeable about syringe safety procedures and risks.
4. Distribute the safe syringe kits that include information, education, and local resources provided by the Lee County Health Department to program participants.
5. Distribute participation cards provided by the Lee County Health Department to program participants.

Both parties agree that this agreement can be terminated at any time giving the other party thirty days written notice. The parties agree to these terms by their signatures below.

_____	_____	_____	_____
H3 Health Healing Hope	Date	Lee County Health Department	Date
Title _____		Lee County Health Director	

ITEM #: IV.A

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Multi-Sport Complex Naming Options

DEPARTMENT: Administration

CONTACT PERSON: Ben McQueary,

TYPE: Action Item

REQUEST	Review and approve a name and tagline from the provided suggested options.Â
BUDGET IMPACT	No impact outside of already approved budget for signage, materials, etc.
ATTACHMENTS	Sports Complex Recommended Name & Tagline.pdf
PRIOR BOARD ACTION	The sports complex was originally approved by bond referendum in November 2020, with the Board of Commissioners appropriating additional funds in August 2022 to bring the total project budget to $40,000,000. The project went out to bid in summer 2023, with Sanford Contractors being awarded the contract for the construction of the park. The Board directed staff to seek community input for the naming of this new park during the September 18, 2023 meeting so that a name could be in place in time for the 2023 groundbreaking ceremony.
RECOMMENDATION	Review and approve a name and tagline from the provided suggested options.
SUMMARY	

Located off Broadway Rd and next to Hwy 421 in Sanford, this new multi-sport complex will be

a regional sporting asset. Being built on land partially donated by Mr. Mark Stewart and other land formerly owned by the Poe Family, this park will consist of 6 large rectangular fields (reconfigurable to 12 youth fields) and 4 ballfields (one highlighted as the future home of the Sanford Spinners). In addition to the athletic fields, there will be walking trails, picnic areas, a destination playground, and more. The Board directed staff to seek community input for the name of the future park during the September meeting. A form was created and advertised on social media channels and our website. After being open from 10/11 through 10/27, we received 183 responses containing over 300 individual name submissions. Common themes throughout the submissions centered around regionality, recognizability, and recognition of Lee County's sporting legacy. The Park and Recreation Advisory Board also seeks to capture the impact of this sports complex on the future of athletics in Lee County. Staff is bringing a list of three name options and three tagline options, and a staff recommendation for each to the Board at the November 6 meeting.

LEE COUNTY GOVERNMENT
NORTH CAROLINA

Multi-Sport Complex Name & Tagline Options

Located off Broadway Rd and next to Hwy 421 in Sanford, this new multi-sport complex will be a regional sporting asset. Being built on land partially donated by Mr. Mark Stewart and other land formerly owned by the Poe Family, this park will consist of 6 large rectangular fields (reconfigurable to 12 youth fields) and 4 ballfields (one highlighted as the future home of the Sanford Spinners). In addition to the athletic fields, there will be walking trails, picnic areas, a destination playground, and more.

The first step in creating a great name is to define our target patrons for this park. Intended to be a regional sporting facility, capable of hosting both County sports programs and larger tournaments in various sports, an easily recognizable name based in regionality will best capture this target demographic. The next step is to seek input from stakeholders on what themes are desired not just for the naming, but for the overall impact of this new park. These can be incorporated throughout the branding for this new park. The final step is to create options and make sure they sound good out loud, look good on paper, and can be condensed to an easy acronym. We believe we have created multiple great naming options based off of these three steps.

The Board directed staff to seek community input for the name of the future park during the September meeting. A form was created and advertised on social media channels and our website. After being open from 10/11 through 10/27, we received 183 responses containing over 300 individual name submissions. Common themes throughout the submissions centered around regionality (bricks, rivers, pines, etc.), recognizability (Central Carolina, Lee County, Sanford, etc.), and various recognitions of Lee County's sporting legacy.

There were also many submissions honoring many current/past coaches and influential people in Lee County. The adopted naming policy does not allow for new facilities to be named after individuals, so these will not be included in the name options presented tonight. With that being said, the staff's desire is to create ways for these influential people to be recognized and honored in this new park. Staff will bring these recognition options to the Board once they are finalized.

This topic was also brought before the Park and Recreation Advisory Board during their October 2023 meeting. They seek to capture the impact of this sports complex on the future of athletics in Lee County in the name of this park. The names were also brought to Mr. Mark Stewart, and he similarly wanted to emphasize regionality and sporting legacy. Based on naming suggestions and advisory board recommendations, we are providing tonight three names for consideration, along with some taglines that can capture some of the additional themes desired by stakeholders.

All three proposed names will end with "Athletic Park" rather than "Multi-Sport Complex" or "Sportsplex" because there is a universal desire to emphasize the traditional park elements in addition to sporting facilities. There are also many "Athletic Parks" across North Carolina, making it recognizable and easily identifiable as a premier sports facility. Please review the three naming options and taglines below.

Staff Recommended Sports Complex Name

1. **Central Carolina Athletic Park (CCAP)** *Staff Recommendation*

Reasoning: Throughout Lee County, one can see “Central Carolina” theming. Central Carolina Community College, Central Carolina Hospital, Central Carolina Enterprise Park, and others are all recognizable, reputable organizations/locations in our region. People both inside and outside Lee County associate the “Central Carolina” name with Lee County and Sanford. If patrons are travelling to Lee County from the mountainous or coastal regions of North Carolina, a name like “Central Carolina Athletic Park” or “CCAP” will help them quickly understand the location of this park and will be easily searchable on search engines and social medias. We do understand that this name might not be as creative as some desire, which is why we are additionally recommending a tagline be associated with this name to capture the desired themes.

Additional Sports Complex Name Options

2. **Brickyard Athletic Park (BAP)**

Reasoning: A strong theme throughout the history of Lee County has been brickmaking. Home to large clay deposits, Lee County residents and companies helped to supply bricks to projects across the world. A design element seen throughout current County buildings and in the designs for this new park, this name especially speaks to the history of Lee County. This name does lack some regional recognizability, which is why it is not the staff’s first recommendation. With that being said, it is still a great option and would be a great choice for the name of this park. We also understand that this name might not capture all the themes that some desire, so as with the other names, we are additionally recommending a tagline be associated with this name to capture the desired themes.

3. **Legacy Athletic Park (LAP)**

Reasoning: Commonly recommended theme spoke to “futures” and “legacies.” The Parks and Recreation Advisory board has been a large advocate for this theming, expressing how this facility will be the future of Lee County athletics. Staff does not recommend this particular name due to its lack of regionality and immediate recognizability. Staff would prefer to incorporate the legacy/future theming into an associated tagline, keeping the name more easily recognizable.

Staff Recommended Sports Complex Tagline

1. **"Sporting Legacies, Lasting Memories, Built Brick by Brick"** *Staff Recommendation*

Reasoning: This tagline incorporates many of the themes desired by staff, the advisory board, and by community members. It would pair very well with all three name options but would work especially well with "Central Carolina Athletic Park." Pairing the two would keep the overall name easily recognizable, while also expressing desired theming through the taglines and additional branding.

Additional Sports Complex Tagline Options

2. "Legacies and Memories, Built Brick By Brick"

Reasoning: This option is a shortened version of the above recommended option, could possibly be used in addition to the full version if space is limited.

3. "Where Sporting Legacies and Lasting Memories Are Made"

Reasoning: This is another alternate option that removes the brick theming but keeps the legacy theming.

ITEM #: V.A

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: Cost Analysis of the Implementation of Microchipping Services at the Lee County Animal Shelter

DEPARTMENT: Health

CONTACT PERSON: Heath Cain, Health Department Director

TYPE: Action Item

REQUEST	The Health Department is requesting the Commissioners to review the cost analysis, approve allowing the animal shelter to provide Microchipping services at the shelter, and charge the fee associated with the cost analysis provided.
BUDGET IMPACT	Depends on the number of animals microchipped if approved.
ATTACHMENTS	Letter of Support.pdf Animal Shelter Microchipping Cost Analysis Write Up.pdf Copy of Animal Shelter Microchipping Cost Analysis.pdf
PRIOR BOARD ACTION	N/A
RECOMMENDATION	The Health Department would like the Commissioner's approval to provide this service and charge a fee of $20.00 based on the cost analysis provided.

SUMMARY

The Health Department is seeking permission to provide microchipping services at the animal shelter. This service will assist us greatly as we work to reconnect pet owners with their lost pet. Strays are picked up daily and delivered to the animal shelter and very few are microchipped. This service would ease the stress the owners would go through to reconnect with their pet. It will be a valuable service to potential adopters who could have the animal

microchipped and registered before leaving the shelter. CHSA Board voted in August to allow the Health Department to complete a cost analysis concerning Microchipping services. Attached is a letter of support from CHSA Board Chair Dr. Diane Schaller. The CHSA Board approved the request at the October 18, 2023 Board meeting to provide microchipping services at the animal shelter for Lee County at the fee requested. No microchipping services will begin until policies and procedures are in place and approved by management team and the health director.

LEE COUNTY GOVERNMENT
Public Health

October 18th, 2023

To: Lee County Commissioners

From: Dr. Diane Schaller, DVM
Chair, Consolidated Human Services Agency Board
106 Hillcrest Drive
Sanford, NC 27331

RE: Microchipping Letter of Support

Earlier this year, the health department presented updates concerning the Strategic Plan to this Board. These updates included the consideration of implementing microchipping services at our local animal shelter for all Lee County-owned animals. The following Rule has been adopted to facilitate this opportunity:

> **The implantation of a microchip is a Veterinary medical procedure. The Animal Welfare Act Rule [02 NCAC 52J .0210(d)] requires "adequate veterinary care" which in this instance means that the veterinary medical procedure was properly done by an adequately trained and experienced shelter employee. The absolute minimal training and experience in this instance would be classroom (virtual or in-person) training and verification of competency by a qualified instructor. The verification of competency could be observation by the shelter's veterinarian of the employee properly implanting a microchip into a dog, puppy, cat, and kitten.**

The Consolidated Human Services Agency Board plays a vital role in advocating for and promoting local human services programs. This new service has the potential to significantly improve the reunification of stray animals with their families. Section 4-124 (b) of the Lee County Animal Services Ordinance states that "All animals adopted from the Lee County Animal Shelter must be microchipped within 30 days of their adoption." With the implementation of this service, adopters will have the opportunity to fulfill this requirement during the adoption process.

As the Board Chair, we wholeheartedly support this opportunity to reunite stray animals with their families and to provide microchipping at the shelter as an integral part of the animal adoption process. This service has the potential to reduce time strays spend at the shelter in the future and expedite the reunification process for families missing their pets.

We sincerely appreciate your consideration in approving the new microchipping services as we work towards reducing the number of stray animals at the shelter and reuniting families with their beloved pets.

Kind regards,

Dr. Schaller, DVM

Animal Shelter – Microchipping Cost Analysis

- Total cost for 500 ISO compliant 134.2 kHz animal RFID microchips with single use syringe applicator is $2,675 ($5 per chip plus 7% tax). This is the cost for both the Merck and AKC branded ISO compliant chips, Dr. Houser recommends AKC. Free shipping on orders of 300 chips or more. Per Elizabeth Hall, Animal Shelter Manager, 500 microchips are equal to 4 months of animal intake based on current trends.
- The personnel time for the process is approximately 35 minutes total. Two Shelter Attendants are required for 15 minutes each during implantation; one to immobilize the animal and one to implant the microchip. 5 minutes are required for one Attendant to register the microchip online.
- Dr. Houser will provide the Standing Orders as well as conduct the training needed to certify our staff, there is no cost for training.
- A Microchipping Policy and Procedure is currently not in place. This will be developed by the Animal Shelter Manager with guidance from Dr. Houser; it will comply with the North Carolina Department of Agriculture and Consumer Services, Veterinary Division guidelines.
- The cost for a Universal Scanner is $375, but one will be provided for free with our first order. Warranty is one year.

An itemized cost per procedure is attached.

Animal Shelter / Microchipping: Single Implant Cost

Organization: LCHD | Year: 2023

Department: Animal Shelter | Submitted by: Ty Boswell

Cost of (plug in visit type): **Microchipping**

Supply Cost: $ 5.46 | Incidental Cost: $ 0.25 | **Total Cost: $ 20.27**

HR Cost: $ 14.56 | LAB Cost: $0

Cost of Supplies

Line	Item	Description/Justification	Qty.	Unit Cost/Rate	Total
1	Microchip	1 ISO compliant animal RFID microchip (134.2 kHz)	1	$ 5.35	$ 5.35
2	Gloves	1 Pair of Exam Gloves	2	$ 0.05	$ 0.10
3	Alcohol Prep Pad	1 Each	1	$ 0.01	$ 0.01
4					0
5					0
				Total	**$ 5.46**

Cost of Human Resources

Line	Item	Description/Justification	Time	Rate per Hour	Total
6	Shelter Attendant	Amount of Time to Implant Microchip - see note below.	30	$ 24.96	$ 12.48
7	Shelter Attendant	Amount of Time to Register the Microchip Online	5	$ 24.96	$ 2.08
8					0
9					0
10					0
11		*Note - 1 Att required to restrict animal movement, 1 Att			0
12		required to implant chip. Total process is 35 mins.			0
13		Time = minutes			0
				Total	**$ 14.56**

Costs for Incidentals

Line	Item	Description/Justification	Qty.	Unit Cost/Rate	Total
14	Pet Microchip Scanner	Percent use of cost of scanner, one year warranty.	1	$ 0.25	$ 0.25
15		Estimated 1500 uses over warranty period based on			0
16		projected intake. $375 for one universal scanner.			0
17		$375/1500 uses = $0.25 per implant use.			0
18					0
19					0
20					0
21		% of Use for Each Item			0
				Total	**$ 0.25**

Costs of LAB Services

Line	Item	Description/Justification	Qty.	Unit Cost/Rate	Total
22		None			0
23					0
24					0
25					0
				Grand Total	**$0**

ITEM #: V.B

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: LCHD FY 23-24 Proposed Environmental Health Fee Changes

DEPARTMENT: Health

CONTACT PERSON: Heath Cain, Health Department Director

TYPE: Action Item

REQUEST	This is a request for the Commissioners to approve the proposed Environmental Health fee changes for FY 23-24.
BUDGET IMPACT	The proposed fee changes will result in a slight decrease in revenue for the Health Department based on the number of private permit applications received. This request to modify existing Environmental Health fees is in alignment with the recent approval by legislation mandating new services and the fees allowed to charge by the local jurisdictions.
ATTACHMENTS	Copy_of_EH_FY_23-24_Proposed_Fees_Changes-revised (1).pdf H628v6.pdf
PRIOR BOARD ACTION	The CHSA Board approved this fee change at their last Board meeting.
RECOMMENDATION	The Health Department respectfully requests the Commissioners to approve the proposed Environmental Health fee changes for FY 23-24.

SUMMARY

This proposed fee schedule modification for FY 23-24 is due to NC House Bill 628 / SL 2023-90. This bill makes the following changes to the on-site wastewater General Statutes regarding

fees. H628 removes the local completeness review for Engineer Option Permits (EOP) and Authorized On-Site Wastewater Evaluator (AOWE) permits. The LCHD will now just accept these permits and file them. The fee that LCHD can charge for EOPs and AOWEs will change to no more than $35 for filing costs. HB628 changes the review for a GS-130A-335(a2) to a completeness review, similar to the previous reviews for EOPs and AOWEs. The LCHD may assess a fee for the (a2) Construction Authorization or the (a2) Improvement Permit/Construction Authorization combination permit of up to 40% of the fee established for similar systems permitted by the LCHD.

Env. Health Fee Schedule	Current '22 - '23	Proposed '23 - '24	Proposed Changes '23 - '24
On-Site Septic Application:			
Improvement Permit	488	525	
Expansion	510	550	
Existing System Re-evaluation	197	210	
Redraw/redesign fee (site visit required)	208	225	
Redraw/redesign fee (no site visit required)	52	50	
Repair Application	27	29	
Lot unprepared for evaluation	26	28	
On-Site Construction Authorizations:			
New CA	416	450	
Repair/Relocation CA	32	34	
~~New EOP/AOWE~~	~~270~~	~~270~~	~~35~~
~~Repair EOP/AOWE~~	~~9~~	~~9~~	~~35~~
Setback compliance review (in office)	26	28	
Private Permit Option			
EOP/AOWE (filing costs)	-	-	35
GS 130A-335(a2) IP Only (100%)	-	-	525
GS 130A-335(a2) CA Only (40%)	-	-	180
GS 130A-335(a2) IP/CA (40%)	-	-	390
Private Wells & Water Sample:			
Well Permit	329	350	
Full Panel (Existing Well)	106	115	
Bacteria Coliform	61	65	
Inorganic Panel (includes Nitrate/Nitrite)	105	111	
Inorganic Panel (Coal Ash Testing)	106	112	
Iron Bacteria	66	70	
Sulfur Bacteria	77	82	
Nitrate/Nitrite	64	68	
Pesticide	106	112	
Petroleum	106	112	
Volatile Organic Chemicals	106	112	
Hexavalent Chromium	90	95	
Food and Lodging Applications:			
New Establishment-Plan Review	250	250	
Food Service Plan Review (remodel/minor renovation)	130	140	
Mobile Food Unit/ Pushcart Plan Review	202	220	
Temporary Food Establishments (TFE)	75	75	
Late TFE less than 15 prior to event (additional)	53	53	
Limited Food Service Establishment (LFSE)	75	75	
Late LFSE less than 15 prior to event (additional)	53	53	
Swimming Pools:			
New Swimming Pool-Plan Review	329	350	
2nd New Swimming Pool Plan Review	217	230	
Seasonal/Year-Round Swimming Pool/Wading/Spa Permit	170	180	
Pool reinspection fee	52	52	
Tattoo Artist:			
Tattoo Artist	170	182	

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

SESSION LAW 2023-90
HOUSE BILL 628

AN ACT TO AMEND THE STATUTES GOVERNING ON-SITE WASTEWATER SYSTEMS, TO MAKE CERTAIN NC ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD CHANGES, TO DIRECT THE BUILDING CODE COUNCIL TO CREATE AN ON-SITE WASTEWATER EXISTING SYSTEM AFFIDAVIT, TO MAKE CERTAIN WASTEWATER ELECTRICAL CHANGES, TO MAKE CERTAIN CHANGES TO PRIVATE DRINKING WATER WELL BUILDING INSPECTION AND INSTALLATION, TO PROHIBIT FORCED SEWER CONNECTIONS IN CERTAIN SITUATIONS, AND TO ESTABLISH A REGISTERED ENVIRONMENTAL HEALTH ASSOCIATE CERTIFICATION UNDER THE STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS.

The General Assembly of North Carolina enacts:

ON-SITE WASTEWATER CHANGES

SECTION 1. G.S. 130A-335 reads as rewritten:

"**§ 130A-335. Wastewater collection, treatment and disposal; rules.**

(a) A person owning or controlling a residence, place of business or a place of public assembly shall provide an approved wastewater system. Except as may be allowed under another provision of law, all wastewater from water-using fixtures and appliances connected to a water supply source shall discharge to the approved wastewater system. A wastewater system may include components for collection, treatment and disposal of wastewater.

(a1) Any proposed site for a residence, place of business, or a place of public assembly located in an area that is not served by an approved wastewater system for which a new wastewater system is proposed or repair is necessary for compliance may be evaluated for soil conditions and site features by a person licensed pursuant to Chapter 89F of the General Statutes as a licensed soil scientist. For purposes of this subsection, "site features" include topography and landscape position; soil characteristics (morphology); soil wetness; soil depth; restrictive horizons; available space; and other applicable factors that involve accepted public health principles. A person licensed pursuant to Chapter 89E of the General Statutes as a licensed geologist may evaluate the proposed site or repair area, as applicable, for geologic and hydrogeologic conditions.

(a2) Evaluations conducted by a licensed soil scientist or a licensed geologist pursuant to subsection (a1) of this section shall be used in developing design and construction features for a new proposed wastewater system or a proposed repair project for an existing wastewater system, including the addressing of any special hydrologic conditions that may be required under the applicable rules for an ~~improvement permit~~ Improvement Permit or a ~~construction authorization,~~ Construction Authorization, shall be approved by the applicable permitting authorities under G.S. 130A-336 provided both of the following conditions are met:

(1) ~~The evaluation of soil conditions, site features, or geologic and hydrogeologic conditions satisfies all requirements of this Article.~~ The evaluation shall not cover areas outside the scope of the applicable license.

(2) The licensed soil scientist or licensed geologist conducting the evaluation maintains an errors and omissions liability insurance policy issued by an insurer licensed under Chapter 58 of the General Statutes in an amount commensurate with the risk.

(a3) When an applicant for an ~~improvement permit~~ Improvement Permit submits to a local health department an ~~application~~ Improvement Permit application, the permit fee charged by the local health department, the common form developed by the Department, and a soil evaluation pursuant to subsection (a2) of this section, the local health department shall, within ~~10~~ five business days of receiving the ~~application, take one of the following actions:~~application, conduct a completeness review of the submittal. A determination of completeness means that the Improvement Permit includes all of the required components. If the local health department determines that the Improvement Permit is incomplete, the local health department shall notify the applicant of the components needed to complete the Improvement Permit. The applicant may submit additional information to the local health department to cure the deficiencies in the Improvement Permit. The local health department shall make a final determination as to whether the Improvement Permit is complete within five business days after the local health department receives the additional information from the applicant. If the local health department fails to act within any period set out in this subsection, the applicant may treat the failure to act as a determination of completeness. The Department shall develop a common form for use as the Improvement Permit.

~~(1) Issue the improvement permit.~~

~~(2) Deny the permit application and provide a signed, written report to the applicant citing the applicable rule(s) for permit denial.~~

~~(3) Notify the applicant that additional information is needed if the application is incomplete.~~

(a4) ~~If a local health department fails to act on an application for an improvement permit submitted pursuant to subsection (a3) of this section within 10 business days of receipt of a complete application, the local health department shall issue the improvement permit.~~The licensed soil scientist or licensed geologist submitting the evaluation pursuant to subsection (a2) of this section shall have the right to request that the local health department revoke or suspend the Improvement Permit for cause. Upon written request by the licensed soil scientist or licensed geologist, the local health department shall suspend or revoke the Improvement Permit pursuant to G.S. 130A-23.

(a5) When an applicant for a ~~construction authorization~~ Construction Authorization, or an Improvement Permit and Construction Authorization together, submits ~~an application along with~~ a Construction Authorization, or an Improvement Permit and Construction Authorization application together, the permit fee charged by the local health department, the common form developed by the Department, and any necessary signed and sealed plans or ~~evaluations, as required by the local health department,~~ evaluations conducted by a person licensed pursuant to Chapter 89C of the General Statutes as a licensed engineer or a person certified pursuant to Article 5 of Chapter 90A of the General Statutes as an Authorized On-Site Wastewater Evaluator, the local health department shall, within ~~10~~ five business days of receiving the application, ~~take one of the following actions:~~conduct a completeness review of the submittal. A determination of completeness means that the Construction Authorization or Improvement Permit and Construction Authorization includes all of the required components. If the local health department determines that the Construction Authorization or Improvement Permit and Construction Authorization is incomplete, the local health department shall notify the applicant of the components needed to complete the Construction Authorization or Improvement Permit and Construction Authorization. The applicant may submit additional information to the local health department to cure the deficiencies in the Construction Authorization or Improvement Permit and Construction Authorization. The local health department shall make a final

determination as to whether the Construction Authorization or Improvement Permit and Construction Authorization is complete within five business days after the local health department receives the additional information from the applicant. If the local health department fails to act within any period set out in this subsection, the applicant may treat the failure to act as a determination of completeness. The applicant may apply for the building permit for the project upon the decision of completeness of the Construction Authorization or Improvement Permit and Construction Authorization by the local health department or if the local health department fails to act within five business days. The Authorized On-Site Wastewater Evaluator or licensed engineer submitting the evaluation pursuant to this subsection may request that the local health department revoke or suspend the Construction Authorization or Improvement Permit and Construction Authorization for cause. Upon written request of the Authorized On-Site Wastewater Evaluator or licensed engineer, the local health department shall suspend or revoke the Construction Authorization or Improvement Permit and Construction Authorization pursuant to G.S. 130A-23. The Department shall develop a common form for use as the Construction Authorization.

~~(1) Approve the permit application.~~

~~(2) Deny the permit application and provide a signed, written report to the applicant citing the applicable rule(s) for permit denial.~~

~~(3) Notify the applicant that additional information is needed if the application is incomplete.~~

(a6) ~~If a local health department fails to act on an application for a construction authorization submitted pursuant to subsection (a5) of this section within 10 business days of receipt of a complete application, the local health department shall issue the construction authorization.~~The local health department may assess a fee for the Construction Authorization or the Improvement Permit/Construction Authorization combination permit of up to forty percent (40%) of the fee established for similar systems permitted by the local health department.

(a7) The wastewater system contractor shall notify the local health department, or professional engineer or Authorized On-Site Wastewater Evaluator, as applicable, prior to the start of construction of the proposed wastewater system by telephone or other electronic means. The local health department, professional engineer, or Authorized On-Site Wastewater Evaluator conducting the evaluation pursuant to subsection (a5) of this section shall retain the ability to delay construction until determination of site ~~conditions.~~ conditions, including soil wetness, grading or landscaping that damages the soil evaluation, soil compaction, or landscape position. The owner or certified on-site wastewater contractor shall notify the authorizing agent and is responsible for contacting the authorizing agent, as applicable, and the certified on-site wastewater contractor prior to the start of system construction of any known changes to the site that alter the site evaluation or conditions.

The ~~applicant or the~~ wastewater system contractor certified under rules established by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board shall notify the local health department of completion of the wastewater system for the inspection and issuance of the operation permit pursuant to G.S. 130A-337 after determination of compliance with the construction authorization.

(a8) The Department, the Department's authorized agents, and the local health departments shall be discharged and released from any liabilities, duties, and responsibilities imposed by statute or in common law from any claim arising out of or attributed to evaluations, submittals, or actions from a licensed soil scientist or licensed geologist pursuant to subsection (a2) of this section. The Department, the Department's authorized agents, and the local health departments shall be discharged and released from any liabilities, duties, and responsibilities imposed by statute or in common law from any claim arising out of or attributed to plans, evaluations, preconstruction conference findings, submittals, or actions from a person licensed pursuant to Chapter 89C of the General Statutes as a licensed engineer or a person certified pursuant to

Article 5 of Chapter 90A of the General Statutes as an Authorized On-Site Wastewater Evaluator in subsections (a2), (a5), and (a7) of this section. The Department, the Department's authorized agents, and the local health departments shall be responsible and bear liability for their actions and evaluations and other obligations under State law or rule, including the issuance of the operations permit pursuant to G.S. 130A-337.

(a9) Proposed wastewater systems submitted to the local health department pursuant to this section shall not be required to meet the requirements of 15A NCAC 18A .1938(e) or 15A NCAC 18A .1938(f). Any proposals sent to the Department for review shall not be required to meet the time constraints set forth in this section.

(b) All wastewater systems shall either (i) be regulated by the Department under rules adopted by the ~~Commission or~~ Commission, (ii) conform with the engineered option permit criteria set forth in G.S. 130A-336.1 and under rules adopted by the ~~Commission~~ Commission, or (iii) conform with the Authorized On-Site Wastewater Evaluator permit criteria pursuant to G.S. 130A-336.2 and rules adopted by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board except for the following wastewater systems that shall be regulated by the Department of Environmental Quality under rules adopted by the Environmental Management Commission:

(1) Wastewater collection, treatment, and disposal systems designed to discharge effluent to the land surface or surface waters.
(2) Wastewater systems designed for groundwater remediation, groundwater injection, or landfill leachate collection and disposal.
(3) Wastewater systems designed for the complete recycle or reuse of industrial process wastewater.
(4) Gray water systems as defined in G.S. 143-350.

…

(c2) Notwithstanding any other provision of law, a ~~municipality~~ unit of local government shall not prohibit or regulate by ordinance or enforce an existing ordinance regulating the use of off-site wastewater systems or other systems approved by the Department under rules adopted by the Commission when the proposed system meets the specific conditions of the approval.

…

(d1) The Department or owner of a wastewater system may file a written complaint with the North Carolina Board of Examiners for Engineers and Surveyors in accordance with rules and procedures adopted by the Board pursuant to Chapter 89C of the General Statutes citing failure of a professional engineer to adhere to the rules adopted by the Commission pursuant to this Article. The Department or owner of a wastewater system may file a written complaint with the North Carolina Board of Licensed Soil Scientists in accordance with rules and procedures adopted by the Board pursuant to Chapter 89F of the General Statutes citing failure of a licensed soil scientist to adhere to the rules adopted by the Commission pursuant to this Article. The Department or owner of a wastewater system may file a written complaint with the North Carolina Board for Licensing of Geologists in accordance with rules and procedures adopted by the Board pursuant to Chapter 89E of the General Statutes citing failure of a licensed geologist to adhere to the rules adopted by the Commission pursuant to this Article. The Department or owner of a wastewater system may file a written complaint with the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board in accordance with rules and procedures adopted by the Board pursuant to Article 5 of Chapter 90A of the General Statutes citing failure of a contractor to adhere to the rules adopted by the Commission pursuant to this ~~Article.~~Article or for failure of an Authorized On-Site Wastewater Evaluator to adhere to rules adopted by the Commission or the Board pursuant to this Article.

…

(f) The rules of the Commission and the rules of the local board of health shall classify systems of wastewater collection, treatment and disposal according to size, type of treatment and

any other appropriate factors. The rules shall provide construction requirements, including pretreatment and system control requirements, standards for operation, maintenance, monitoring, reporting, and ownership requirements for each classification of systems of wastewater collection, treatment and disposal in order to prevent, as far as reasonably possible, any contamination of the land, groundwater and surface waters. The Department and local health departments may impose conditions on the issuance of permits and may revoke the permits for failure of the system to satisfy the conditions, the rules, or this Article. Permits other than improvement permits shall be valid for a period prescribed by rule. Improvement permits shall be valid upon a showing satisfactory to the Department or the local health department that the site and soil conditions are unaltered, that the facility, design wastewater flow, and wastewater characteristics are not increased, and that a wastewater system can be installed that meets the permitting requirements in effect on the date the ~~improvement permit~~ Improvement Permit was issued. Improvement permits for which a plat is provided shall be valid without expiration. Improvement permits for which a site plan is provided shall be valid for five years. The period of time for which the permit is valid and a statement that the permit is subject to revocation if the site plan or plat, whichever is applicable, or the intended use changes shall be displayed prominently on both the application form for the permit and the permit.

(f1) A preconstruction conference with the owner or developer, or an agent of the owner or developer, and a representative of the local health department shall be required for any ~~construction authorization~~ Construction Authorization issued with an ~~improvement permit~~ Improvement Permit under G.S. 130A-336 when the authorization is greater than five years old. Following the conference, the local health department shall advise the owner or developer of any rule changes for wastewater system construction incorporating current technology that can reasonably be expected to improve the performance of the system. The local health department shall issue a revised ~~construction authorization~~ Construction Authorization incorporating the rule changes upon the written request of the owner or developer.

…

(g) Prior to denial of an ~~improvement permit,~~ Improvement Permit, the local health department shall advise the applicant of possible site modifications or alternative systems, and shall provide a brief description of those systems. When an ~~improvement permit~~ Improvement Permit is denied, the local health department shall issue the site evaluation in writing stating the reasons for the unsuitable classification. The evaluation shall also inform the applicant of the right to an informal review by the Department, the right to appeal under G.S. 130A-24, and to have the appeal held in the county in which the site for which the ~~improvement permit~~ Improvement Permit was requested is located.

…."

SECTION 2. G.S. 130A-335.1 reads as rewritten:

"**§ 130A-335.1. Effluent filters and access devices for certain septic tank systems.**

…

(b) The access device required by G.S. 130A-335(f) shall provide access to each compartment of a septic tank for inspection and maintenance either by means of an opening in the top of the septic tank or by a riser assembly and shall include an appropriate cover. The access device shall:

(1) Be of sufficient size to facilitate inspection and service.

(2) Be designed and constructed to equal or exceed the minimum loading specifications applicable to the septic tank.

(3) Prevent water entry.

(4) Come to within six inches of the finished grade.

~~(5) Be visibly marked so that the access device can be readily located.~~"

SECTION 3. G.S. 130A-336.1 reads as rewritten:

"**§ 130A-336.1. Alternative process for wastewater system approvals.**

(a) Engineered Option Permit Authorized. – A professional engineer licensed under Chapter 89C of the General Statutes may, at the direction of the owner of a proposed wastewater system who wishes to utilize the engineered option permit, prepare signed and sealed drawings, specifications, plans, and reports for the design, construction, operation, and maintenance of the wastewater system in accordance with this section and rules adopted thereunder.

(b) Notice of Intent to Construct. – Prior to commencing or assisting in the construction, siting, repair, or relocation of a wastewater system, the owner of a proposed wastewater system who wishes to utilize the engineered option permit, or a professional engineer authorized as the legal representative of the owner, shall submit to the local health department with jurisdiction over the location of the proposed wastewater system a ~~notice of intent to construct~~ Notice of Intent to Construct a wastewater system utilizing the ~~engineered permit option.~~ Engineered Option Permit along with the fee required pursuant to subsection (n) of this section. The owner may apply for a building permit for the project upon submitting a complete Notice of Intent to Construct to the local health department. The owner shall notify the local health department upon completing installation of the wastewater system, adherence to the submitted Notice of Intent to Construct, and the submittal of the Authorization to Operate to the local health department. The Department shall develop a common form for use as the ~~notice of intent to construct~~ Notice of Intent to Construct that includes all of the following:

(1) The owner's name, address, e-mail address, and telephone number.
(2) The professional engineer's name, license number, address, e-mail address, and telephone number.
(3) For the professional engineer, the licensed soil scientist, the licensed geologist, and any on-site wastewater contractors, proof of errors and omissions insurance coverage or other appropriate liability insurance.
(4) A description of the facility the proposed site is to serve and any factors that would affect the wastewater load.
(5) The type of proposed wastewater system and its location.
(6) The design wastewater flow and characteristics.
(7) Any proposed landscape, site, drainage, or soil modifications.
(8) A soil evaluation that is conducted and signed and sealed by a either a licensed soil scientist or licensed geologist.
(9) A plat, as defined in G.S. 130A-334(7a), or a site plan, as defined in G.S. 130A-334(13a).

~~(c) Completeness Review for Notice of Intent to Construct. The local health department shall determine whether a notice of intent to construct, as required pursuant subsection (b) of this section, is complete within 15 business days after the local health department receives the notice of intent to construct. A determination of completeness means that the notice of intent to construct includes all of the required components. If the local health department determines that the notice of intent to construct is incomplete, the department shall notify the owner or the professional engineer of the components needed to complete the notice. The owner or professional engineer may submit additional information to the department to cure the deficiencies in the notice. The local health department shall make a final determination as to whether the notice of intent to construct is complete within 10 business days after the department receives the additional information from the owner or professional engineer. If the department fails to act within any time period set out in this subsection, the owner or professional engineer may treat the failure to act as a determination of completeness.~~

(d) Submission of Notice of Intent to Construct to Department for Certain Systems. – Prior to commencing in the construction, siting, repair, or relocation of a wastewater system designed (i) for the collection, treatment, and disposal of industrial process wastewater or (ii) to treat greater than 3,000 gallons per day, the owner of a proposed wastewater system who wishes to utilize the ~~engineered option permit,~~ Engineered Option Permit, or a professional engineer

authorized as the legal representative of the owner, shall provide to the Department a duplicate copy of the ~~notice of intent to construct~~ Notice of Intent to Construct submitted to the local health department required pursuant to subsection (b) of this section.

(e) Site Design, Construction, and Activities. –

(1) The professional engineer designing the proposed wastewater system shall use recognized principles and practices of engineering and applicable rules of the Commission in the calculations and design of the wastewater system. The investigations and findings of the professional engineer shall include, at a minimum, the information required in rules adopted by the Commission pursuant to G.S. 130A-335(e). The professional engineer may, at the engineer's discretion, employ pretreatment technologies not yet approved in this State.

(2) Notwithstanding G.S. 130A-335(a1), the owner of the proposed wastewater system shall employ a person licensed pursuant to Chapter 89F of the General Statutes as a licensed soil scientist to conduct soil and site evaluations and, as applicable, a person licensed pursuant to Chapter 89E of the General Statutes as a licensed geologist to evaluate geologic and hydrogeologic conditions.

(3) The professional engineer designing the proposed wastewater system:

a. Shall be responsible for the engineer's scope of work, including all aspects of the design and any drawings, specifications, plans, or reports that are signed and sealed by the professional engineer.

b. Shall prepare a signed and sealed statement of special inspections that includes the following items:

1. The materials, systems, components, and work subject to special inspection or testing.

2. The type and extent of each special inspection and each test.

3. The frequency of each type of special inspection. For purposes of this sub-sub-subdivision, frequency of special inspections shall be required on either a continuous or periodic basis. Continuous special inspections mean the full-time observation of work requiring special inspection by an approved special inspector who is present in the area where the work is performed. Periodic special inspections mean the part-time or intermittent observation of work requiring a special inspection by an approved special inspector who is present in the area where the work is or has been performed and at the completion of the work.

c. May assist the owner of the proposed wastewater system with the selection of an on-site wastewater system contractor certified pursuant to Article 5 of Chapter 90A of the General Statutes.

(4) An on-site wastewater system contractor, licensed pursuant to Article 5 of Chapter 90A of the General Statutes, who is employed by the owner of the wastewater system, shall:

a. Be responsible for all aspects of the construction and installation of the wastewater system or components of the wastewater system, including adherence to the design, specifications, and any special inspections that are prepared, signed, and sealed by the professional engineer in accordance with all the applicable provisions of this section.

b. Submit a signed and dated statement of responsibility to the owner of the wastewater system, prior to the commencement of work, that

contains acknowledgement and awareness of the requirements in the professional engineer's statement of special inspections.

~~(5) Where the professional engineer's designs, plans, and specifications call for the installation of a conventional wastewater system, such designs, plans, and specifications shall allow for the installation of an accepted system in lieu of a conventional system in accordance with the accepted system approval.~~

(6) In addition to the requirements of this section, the owner, the professional engineer designing the proposed wastewater system, and any on-site wastewater system contractors employed to construct or install the wastewater system shall comply with applicable federal, State, and local laws, regulations, rules, and ordinances.

(f) No Public Liability. – The Department, the Department's authorized agents, or local health departments shall have no liability for wastewater systems designed, constructed, and installed pursuant to ~~a engineered option permit.~~an Engineered Option Permit.

(g) Inspections, Construction Observations, and Reports. –

~~(1) Site visits. – The local health department may, at any time, conduct a site visit of the wastewater system.~~

(2) Construction observations. – The professional engineer who designed the wastewater system shall make periodic visits to the site, at intervals appropriate to the stage of construction, to observe the progress and quality of the construction and to determine, generally, if the construction is proceeding in accordance with the engineer's plans and specifications.

(3) Special inspections. – The owner of the proposed wastewater system shall employ one or more approved special inspectors to conduct special inspections during the construction of the wastewater system. The professional engineer who designed the wastewater system, or the engineer's personnel, may function as an approved agency to conduct special inspections required by this subdivision. The professional engineer's personnel shall only operate as an approved agency for special inspections if the personnel can demonstrate competence and relevant experience or training. For purposes of this subdivision, experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of special inspection activities for projects of similar complexity and material qualities.

(4) Inspection reports. – Approved special inspectors shall maintain and furnish all inspection records to the professional engineer who designed the wastewater system. The records shall indicate whether the work inspected was completed in conformance with the engineer's design and specifications. Any discrepancies identified between the completed work and the engineer's design shall be brought to the immediate attention of the on-site wastewater system contractor for correction. If discrepancies are not corrected, they shall be brought to the attention of the professional engineer who designed the wastewater system prior to completion of work. A final inspection report documenting the required special inspections and the correction of any identified discrepancies shall be provided to the professional engineer and the owner of the wastewater system for review at the post-construction conference required pursuant to subsection (j) of this section.

(h) Local Authority. – This section shall not relieve the owner or operator of a wastewater system from complying with any and all modifications or additions to rules adopted by a local health department to protect public health pursuant to G.S. 130A-335(c) that are required at the time the owner or operator submits the ~~notice of intent to construct~~ Notice of Intent to Construct

pursuant to G.S. 130A-336.1(b). The local health department shall notify the owner or operator of the wastewater system of any issues of compliance related to such modifications or additions.

…

(j) Post-Construction Conference. – The professional engineer designing the wastewater system shall hold a post-construction conference with the owner of the wastewater system; the licensed soil scientist or licensed geologist who performed the soils evaluation for the wastewater system; the on-site wastewater system contractor, certified pursuant to Article 5 of Chapter 90A of the General Statutes, who installed the wastewater system; and the certified operator of the wastewater system, if ~~any; and representatives from the local health department and, as applicable, the Department.~~ any. The post-construction conference shall include start-up of the wastewater system and any required verification of system design or system components. The post-construction conference required by this subsection may be waived for Type I, II, and III wastewater systems, as listed in 15A NCAC 18A.1961 Table V(a), upon written request by the professional engineer and written approval by the owner of the wastewater system.

(k) Required Documentation. –

(1) At the completion of the post-construction conference conducted pursuant to subsection (j) of this section, the professional engineer who designed the wastewater system shall deliver to the owner signed, sealed, and dated copies of the engineer's report, which, for purposes of this subsection, shall include the following:

a. The evaluation of soil conditions and site features as prepared by either the licensed soil scientist or licensed geologist.

b. The drawings, specifications, plans, and reports of the wastewater system, including the statement of special inspections required pursuant to G.S. 130A-336.1(e)(3); the on-site wastewater system contractor's signed statement of responsibility required pursuant to G.S. 130A-336.1(e)(4); records of all special inspections; and the final inspection report documenting the correction of any identified discrepancies required pursuant to subsection (g) of this section.

c. The operator's management program manual that includes a copy of the contract with the certified water pollution control system operator required pursuant to subsection (i) of this section.

d. Any reports and findings related to the design and installation of the wastewater system.

e. A copy of the authorization to operate that can be used for the certificate of occupancy for the facility.

(2) Upon reviewing the professional engineer's report, the owner of the wastewater system shall sign ~~and notarize the report as having been received.~~the report confirming acceptance and receipt of the report.

(*l*) Reporting Requirements. –

(1) The owner of the wastewater system shall submit the following to the local health department:

a. A copy of the professional engineer's report required pursuant to G.S. 130A-336.1(k)(1).

b. A copy of the operations and management program.

~~c. The fee required pursuant to subsection (n) of this section.~~

d. A ~~notarized~~ letter that documents the owner's acceptance of the system from the professional engineer.

e. A copy of the Authorization to Operate.

(2) The owner of any wastewater system that is subject to subsection (d) of this section shall deliver to the Department copies of the engineer's report, as described G.S. 130A-336.1(k)(1).

~~(m) Authorization to Operate. – Within 15 business days of receipt of the documents and fees required pursuant to G.S. 130A-336.1(*l*)(1), the local health department shall issue the owner a letter of confirmation that states the documents and information contained therein have been received and that the wastewater system may operate in accordance with rules adopted by the Commission.~~

(n) Fees. – The local health department may assess ~~a~~ an administrative fee ~~for the engineered option permit of up to thirty percent (30%) of the cumulative total of the fees the department has established to obtain an improvement permit, an authorization to construct, and an operations permit for wastewater systems under its jurisdiction. The fee shall only be used by the department in support of its work pursuant to this section to conduct site inspections; support the department's staff participation at post-construction conference meetings; and archive the engineered permit with the county register of deeds or other recordation of the wastewater system as required.~~of no more than thirty-five dollars ($35.00) for filing costs.

(o) Change in System Ownership. – A wastewater system authorized pursuant to this section shall ~~not be affected by change in ownership of the site for the wastewater system, provided both the site for the wastewater system and the facility the system serves are unchanged and remain under the ownership or control of the person owning the facility.~~be transferrable to a new owner with the consent of the professional engineer. The new owner and the professional engineer shall enter a contract for the wastewater system.

(o1) Revocation. – A Notice of Intent to Construct or an Authorization to Operate issued by an engineer under this section may be revoked by the engineer that issued the Notice of Intent to Construct or the Authorization to Operate. The professional engineer shall send written notification of the revocation to the owner, the licensed soil scientist, the licensed geologist, if any, the certified contractor, the local health department, and the certified water pollution control system operator, if any. The professional engineer shall cite the specific reason for the revocation in the written notification.

(o2) Repair of Malfunctioning Systems. – The owner may apply for an Improvement Permit and a Construction Authorization from the local health department or obtain a Notice of Intent to Construct to repair a malfunctioning wastewater system initially established under this section.

(p) Remedies. – Notwithstanding any other provision of this section or any other provision of law, owners; operators; professional engineers who utilize the engineered option permit, who prepare drawings, specifications, plans, and reports; licensed soil scientists; licensed geologists; and on-site wastewater system contractors employed for the construction or installation of the wastewater system shall be subject to the provisions and remedies provided to the Department and local health departments pursuant to Article 1 of this Chapter.

(q) Rule Making. – The Commission shall adopt rules to implement the provisions of this section.

~~(r) Reports. – The Department shall report to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services on or before January 1, 2017, and annually thereafter, on the implementation and effectiveness of this section. For the report due on or before January 1, 2017, the Department shall specifically study (i) whether the engineered option permit resulted in a reduction in the length of time improvement permits or authorizations to construct are pending; (ii) whether the engineered option permit resulted in increased system failures or other adverse impacts; (iii) if the engineered option permit resulted in new or increased environmental or public health impacts; (iv) an amount of errors and omissions insurance or other liability sufficient for covering professional engineers, licensed soil scientists, licensed geologists, and contractors who employ the engineered option permit; and (v)~~

~~the fees charged by local health departments to administer the engineered option permit pursuant to subsection (n) of this section. The Department may include recommendations, including any legislative proposals, in its reports to the Commission and Committee.~~"

SECTION 4. G.S. 130A-336.2 reads as rewritten:

"**§ 130A-336.2. Alternative wastewater system approvals for nonengineered systems.**

(a) Authorized On-Site Wastewater Evaluator. – An individual licensed as a soil scientist pursuant to Chapter 89F of the General Statutes and further certified under conditions developed and administered by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board may, at the direction of the owner of a proposed wastewater system, prepare signed and sealed soil and site evaluations, specifications, plans, and reports for the site layout, construction, operation, and maintenance of a wastewater system in accordance with this section and rules adopted pursuant to this section. An Authorized On-Site Wastewater Evaluator shall not perform any of the functions performed by a professional engineer for engineered wastewater systems described in G.S. 130A-336.1.

(b) Notice of Intent to Construct. – Prior to commencing or assisting in the construction, siting, relocation, or repair of a wastewater system, the owner of a proposed wastewater system who wishes to use an Authorized On-Site Wastewater Evaluator shall submit a ~~notice of intent to construct~~ complete Notice of Intent to Construct a wastewater system using an Authorized On-Site Wastewater Evaluator to the local health department with jurisdiction over the location of the proposed wastewater system. The owner may apply for a building permit for the project upon submitting a complete Notice of Intent to Construct and the fee required pursuant to subsection (n) of this section to the local health department. The ~~Department of Health and Human Services~~ North Carolina On-Site Wastewater Contractors and Inspectors Certification Board shall develop a common form for use as a ~~notice of intent to construct that includes all of the following:~~Notice of Intent to Construct.

~~(1)~~ ~~The owner's name, e-mail address, mailing address, and phone number.~~

~~(2)~~ ~~The Authorized On-Site Wastewater Evaluator's name, certification number, mailing address, e-mail address, and telephone number.~~

~~(3)~~ ~~The physical location of proposed site.~~

~~(4)~~ ~~Proof of errors and omissions, liability, or other insurance adequate for the proposed wastewater system.~~

~~(5)~~ ~~A description of the facility the proposed site is to serve and any factors that would affect the wastewater load.~~

~~(6)~~ ~~The type of wastewater system proposed.~~

~~(7)~~ ~~The estimated wastewater flow and wastewater characteristics.~~

~~(8)~~ ~~Any proposed landscape, site, drainage, or soil modifications.~~

~~(9)~~ ~~An evaluation of soil conditions and site features that is conducted and signed and sealed by a licensed soil scientist or for geologic or hydrogeologic conditions by a licensed geologist.~~

~~(10)~~ ~~A plat, as defined in G.S. 130A-334(7a), or a site plan, as defined in G.S. 130A-334(13a).~~

~~(c) Completeness Review for Notice of Intent to Construct. The local health department shall determine whether the notice of intent to construct required pursuant to subsection (b) of this section is complete within five business days after receiving the notice of intent to construct. A determination of completeness means that the notice of intent to construct includes all of the required components. If the local health department determines that the notice of intent to construct is incomplete, the local health department shall notify the owner and list the information needed to complete the notice. The owner may then submit additional information to the local health department to cure the deficiencies in the initial notice. The local health department shall make a final determination as to whether the notice of intent to construct is complete within five business days after the department receives the additional information. If the local health~~

~~department fails to act within any time period set out in this subsection, the owner may treat the failure to act as a determination of completeness. The owner shall be able to apply for the building permit for the project upon the decision of completeness of the notice of intent by the local health department or if the local health department fails to act within the five business day time period.~~

(d) Soil and Site Evaluation, Construction, and Activities. –

(1) The Authorized On-Site Wastewater Evaluator shall use standards incorporated in recognized soil and siting practices in North Carolina. The evaluation and findings shall include, at a minimum, the information required in rules adopted by the Commission pursuant to G.S. 130A-335(e). An Authorized On-Site Wastewater Evaluator shall not form a direct business relationship with any technology that may result in a conflict of interest.

(2) The Authorized On-Site Wastewater Evaluator shall prepare a signed and sealed statement of special inspections that includes the following items:

a. The materials, systems, components, and work subject to special inspections and testing.

b. The type, frequency, and extent of each special inspection and each test. For the purposes of this subdivision, "special inspection" means any continuous or intermittent inspection or visitation performed by the Authorized On-Site Wastewater Evaluator at the construction site on behalf of the owner.

(3) The Authorized On-Site Wastewater Evaluator shall assist the owner in the selection of an on-site wastewater system contractor who shall be under contractual obligation to the owner of the system and have sufficient errors and omissions, liability, or other insurance for the system constructed.

(4) The Authorized On-Site Wastewater Evaluator may assist in the construction, siting, relocation, or repair of any wastewater system described in G.S. 130A-343.

~~(5) Where the Authorized On-Site Wastewater Evaluator's designs, plans, and specifications call for the installation of a conventional wastewater system, those designs, plans, and specifications shall allow for the installation of an Accepted system in lieu of a conventional system in accordance with the Accepted system approval.~~

…

(g) Inspections, Construction Observations, and Reports. –

~~(1) A local health department may, at any time, conduct a site visit of the wastewater system.~~

(2) An Authorized On-Site Wastewater Evaluator shall make periodic visits to the site to observe the progress and quality of the construction.

(3) An Authorized On-Site Wastewater Evaluator may employ independent inspectors to observe and direct the construction of the wastewater system. Authorized On-Site Wastewater Evaluators shall be liable for any errors or omissions made by independent inspectors they employ or contract with.

(4) All construction and inspection reports shall be signed by the authorized inspector or Authorized On-Site Wastewater Evaluator. Copies shall be furnished to the owner and the certified contractor and shall be included in the submittal package to the local health department.

(h) Local Authority. – Nothing in this section shall relieve the owner of the wastewater system from complying with all rules adopted by a local health department pursuant to G.S. 130A-335(c) that are in effect at the time the owner submits the ~~notice of intent to construct~~ Notice of Intent to Construct described in subsection (b) of this section. The local health

department shall notify the owner of the wastewater system of any issues of compliance related to such modifications or additions.

(i) Operation and Management. –

(1) An Authorized On-Site Wastewater Evaluator shall establish a written operation and management program based on the rules established for similar wastewater systems and shall provide this information to the owner of the system.

(2) If necessary to comply with rules adopted by the ~~Commission,~~ North Carolina On-Site Wastewater Contractors and Inspectors Certification Board, the owner shall enter into a contract with a water pollution control system operator certified pursuant to Part 1 of Article 3 of Chapter 90A of the General Statutes.

(3) The owner shall be responsible for the continued adherence to the operations and management program established by the Authorized On-Site Wastewater Evaluator pursuant to subdivision (1) of this subsection.

(j) Post-Construction Conference. – The Authorized On-Site Wastewater Evaluator shall hold a post-construction conference with the owner, the certified contractor, and the certified water pollution control system operator, if any. The post-construction conference shall include start-up and any required verification of system components.

(k) Required Documents. – At the post-construction conference, the Authorized On-Site Wastewater Evaluator shall provide the owner with the following documents:

(1) A signed and sealed copy of reports on soil conditions and site features, layouts, drawings, specifications, justification on any proposed design daily flow reductions, and any special inspection reports or corrections made during the construction of the system.

(2) The owner's operation and management program established for the specific wastewater system under subdivision (1) of subsection (i) of this section.

(3) Any reports and findings related to the evaluation, siting, and construction of the wastewater system.

(4) The Authorization to Operate to be used for the certificate of occupancy for the facility.

(*l*) After reviewing the Authorized On-Site Wastewater Evaluator's report, the owner shall sign ~~and notarize a document~~ confirming acceptance and receipt of the report. The owner shall then submit the following to the local health department:

(1) A copy of the Authorized On-Site Wastewater Evaluator's ~~report.~~report, including the Authorization to Operate.

(2) A copy of the operations and management program established for the system by the Authorized On-Site Wastewater Evaluator.

(3) The fee established pursuant to subsection (n) of this section.

(4) ~~A notarized letter that documents the owner's acceptance of the system.~~A copy of the document confirming acceptance and receipt of the report by the owner.

~~(m) Authorization to Operate. – Within five business days of receipt of the required documents and fees described in subsection (*l*) of this section, the local health department shall issue the owner an authorization to operate confirming all the requirements of this section have been met and all rules adopted by the Commission pertaining to nonengineered on-site wastewater systems have been complied with.~~

(n) Fees. – The local health department may assess ~~a~~ an administrative fee ~~for the system developed by the Authorized On-Site Wastewater Evaluator of up to thirty percent (30%) of the cumulative total of the fees established for similar systems permitted by the local health department. The fee shall only be used by the local health department in support of its work pursuant to duties established by this section.~~of no more than thirty-five dollars ($35.00) for filing costs.

(o) Change in System Ownership. – A wastewater system authorized pursuant to this section shall ~~not be affected by change of ownership of the site for the wastewater system, provided both the site for the wastewater system and the type of facility the system serves are unchanged.~~be transferrable to a new owner with the consent of the Authorized On-Site Wastewater Evaluator. The new owner and the Authorized On-Site Wastewater Evaluator shall enter a contract for the wastewater system.

(o1) Revocation. – A Notice of Intent to Construct or an Authorization to Operate issued by an Authorized On-Site Wastewater Evaluator under this section may be revoked by the Authorized On-Site Wastewater Evaluator that issued the Notice of Intent to Construct or the Authorization to Operate. The Authorized On-Site Wastewater Evaluator shall send written notification of the revocation to the owner, the licensed soil scientist, if applicable, the licensed geologist, if any, the certified contractor, the local health department, and the certified water pollution control system operator, if any. The Authorized On-Site Wastewater Evaluator shall cite the specific reason for the revocation in the written notification.

(o2) Repair of Malfunctioning Systems. – The owner may apply for an Improvement Permit and a Construction Authorization from the local health department or obtain a Notice of Intent to Construct to repair a malfunctioning wastewater system initially established under this section.

(p) Remedies. – Notwithstanding any other provision of law to the contrary, Authorized On-Site Wastewater Evaluators, certified contractors described in subsection (e) of this section, and certified water pollution control systems operators described in subdivision (2) of subsection (i) of this section shall be subject only to the disciplinary authority of their individual certifying boards.

(q) Rule Making. –

(1) The ~~Commission~~ North Carolina On-Site Wastewater Contractors and Inspectors Certification Board shall have the power to adopt rules to implement the provisions of this section.

(2) Notwithstanding any provision of law to the contrary, the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board shall have the exclusive authority to promulgate rules regarding certification of Authorized On-Site Wastewater Evaluators where review and seal of a professional engineer is not necessary pursuant to this section.

(3) The rules adopted by the Board for wastewater systems approved under the alternative wastewater system approvals for nonengineered system criteria pursuant to G.S. 130A-336.2 shall be, at a minimum, as stringent as the rules for wastewater systems established by the Commission.

~~(r) Reports. The Department shall report to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services by January 1, 2020, and annually thereafter, on the program established under this section. The Department shall specifically include the efficiency and effectiveness of the program developed under this section and whether the program aided in reducing the length of time in issuing permits. The Department shall obtain activity reports from the local health departments showing the wastewater systems developed under this section. The annual report shall include any suggestions for the improvement of this section, including adequate and appropriate insurance coverage, operator reporting requirements, or fee allowance.~~"

SECTION 5. G.S. 130A-337 reads as rewritten:

"**§ 130A-337. Inspection; operation permit required.**

(a) No system of wastewater collection, treatment and disposal shall be covered or placed into use by any person until an inspection by the local health department has determined that the system has been installed or repaired in accordance with any conditions of the ~~improvement permit,~~ Improvement Permit, the rules, and this Article.

(a1) Notwithstanding subsection (a) of this section, an applicant may contract with an Authorized On-Site Wastewater Evaluator certified pursuant to Article 5 of Chapter 90A of the General Statutes to conduct any required verifications or inspections. The evaluator shall provide the applicant with written verification that all conditions of the Improvement Permit and Construction Authorization have been met, including an as-built drawing meeting the standards and scale of the local health department issuing the Construction Authorization as certified by the evaluator. The applicant may cover the system and place it into operation upon receipt of the evaluator's written verification and shall submit the verification to the local health department within two business days of receipt of the verification. The Department, the Department's authorized agents, and the local health department shall be discharged and released from any liabilities, duties, and responsibilities imposed by statute or common law from any claim arising out of or attributed to the on-site wastewater system installation.

(b) Upon determining that the system is properly installed or repaired and that the system is capable of being operated in accordance with the conditions of the ~~improvement permit,~~ Improvement Permit, the rules, this Article and any conditions to be imposed in the operation permit, as applicable, the local health department shall issue an operation permit authorizing the residence, place of business or place of public assembly to be occupied and for the system to be placed into use or reuse.

(c) Upon determination that an existing wastewater system has a valid operation permit and is operating properly in a manufactured home park, the local health department shall issue authorization in writing for a manufactured home to be connected to the existing system and to be occupied. Notwithstanding G.S. 130A-336, an ~~improvement permit~~ Improvement Permit is not required for the connection of a manufactured home to an existing system with a valid operation permit in a manufactured home park.

(d) No person shall occupy a residence, place of business or place of public assembly, or place a wastewater system into use or reuse for a residence, place of business or place of public assembly until an operation permit has been issued or authorization has been obtained pursuant to G.S. 130A-337(c)."

SECTION 6.(a) G.S. 130A-343 reads as rewritten:

"**§ 130A-343. Approval of on-site subsurface wastewater systems.**

…

(h) Accepted Wastewater Dispersal Systems. – A manufacturer of an Innovative wastewater dispersal system or other approved trench dispersal system specifically identified in a rule adopted by the Commission that has been in general use in this State for a minimum of five years may petition the Commission to have the system designated as an Accepted wastewater system as provided in this subsection. The manufacturer shall provide the Commission with the data and findings of all prior evaluations of the performance of the system in this State and other states referenced in the petition, including disclosure of any conditions found to result in unacceptable structural integrity, treatment, or hydraulic performance. In addition, the manufacturer shall provide the Commission with information sufficient to enable the Commission to fully evaluate the performance of the system in this State for at least the five-year period immediately preceding the petition. The Commission shall designate a wastewater dispersal system as an Accepted wastewater system only if it finds that there is clear, convincing, and cogent evidence based on actual field surveys and county activity reports (i) to confirm the findings made by the Department at the time the Department approved the system as a wastewater dispersal system and (ii) that the system performs in a manner that is equal or superior to a conventional or Accepted wastewater system under actual field conditions in this State. The Commission shall specify the circumstances in which use of the system is appropriate and any conditions and limitations related to the use of the system. If the Commission designates a wastewater dispersal system as an Accepted wastewater system pursuant to this section, the following shall apply:

(1) The approval shall be limited to the manufacturer who submitted the petition and received the Accepted status from the Commission.

(2) Neither the Commission, the Department, or any local health department shall condition, delay, or deny the substitution of any Accepted wastewater system based on location of nitrification lines when all parts of the dispersal field can be installed within the approved initial dispersal field area while complying with all Commission rules.

(i) Nonproprietary Wastewater Systems. – The Department may initiate a review of a nonproprietary wastewater system and approve the system for use as a provisional wastewater system or an innovative wastewater system without having received an application from a manufacturer. ~~The Department may recommend that the Commission designate a nonproprietary wastewater system as an accepted wastewater system without having received a petition from a manufacturer.~~

(j) Repealed by Session Laws 2015-286, s. 4.15(a), effective October 22, 2015.

(j1) Clarification With Respect to Certain Dispersal Media. – In considering the application by a manufacturer of a wastewater system utilizing expanded polystyrene synthetic aggregate particles as a septic effluent dispersal medium for approval of the system under this section, neither the Commission nor the Department may condition, delay, or deny the approval based on the particle or bulk density of the expanded polystyrene material. With respect to approvals already issued by the Department or Commission that include conditions or requirements related to the particle or bulk density of expanded polystyrene material, the Commission or Department, as applicable, shall promptly reissue all such approvals with the conditions and requirements relating to the density of expanded polystyrene material permanently deleted while leaving all other terms and conditions of the approval intact.

…."

SECTION 6.(b) This section is effective when it becomes law and applies retroactively to any wastewater system approvals issued by the Commission for Public Health or the Department of Health and Human Services.

NC ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD CHANGES

SECTION 7.(a) G.S. 90A-73 reads as rewritten:

"**§ 90A-73. Creation and membership of the Board.**

(a) Creation and Appointments. – There is created the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board. The Board shall consist of nine members appointed to three-year terms as follows:

(1) One member appointed by the Governor who, at the time of appointment, is engaged in the construction, installation, repair, or inspection of on-site wastewater systems, to a term that expires on 1 July of years that precede by one year those years that are evenly divisible by three.

(2) One member appointed by the Governor who, at the time of appointment, is a certified water pollution control system operator pursuant to Article 3 of this Chapter, to a term that expires on 1 July of years evenly divisible by three.

(3) One member appointed by the Governor who is a registered professional engineer licensed under Chapter 89C of the General Statutes and whose work experience includes the design of on-site wastewater systems to a term that expires on 1 July of years that follow by one year those years that are evenly divisible by three.

(4) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate who, at the time of appointment, is engaged in the construction, installation, repair, or inspection of on-site

wastewater systems, to a term that expires on 1 July of years that follow by one year those years that are evenly divisible by three.

(5) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate who, at the time of appointment, is engaged in the business of inspecting on-site wastewater systems, to a term that expires on 1 July of years that precede by one year those years that are evenly divisible by three.

(6) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate upon the recommendation of the North Carolina Home Builders Association, to a term that expires on 1 July of years evenly divisible by three.

(7) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives who, at the time of appointment, is engaged in the construction, installation, repair, or inspection of on-site wastewater systems, to a term that expires on 1 July of years evenly divisible by three.

(8) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives who, at the time of appointment, is (i) ~~employed as an~~ a registered environmental health specialist, and (ii) engaged primarily in the inspection ~~and permitting~~ of on-site wastewater ~~systems,~~ systems pursuant to Article 5 of this Chapter, and the operation of on-site wastewater systems, to a term that expires on 1 July of years that follow by one year those years that are evenly divisible by three.

(9) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives who, at the time of appointment, is ~~a soil scientist licensed under Chapter 89F of the General Statutes with experience in soil and site evaluation for on-site wastewater systems,~~ an Authorized On-Site Wastewater Evaluator certified pursuant to Article 5 of this Chapter, to a term that expires on 1 July of years that precede by one year those years that are evenly divisible by three.

(b) Vacancies. – An appointment to fill a vacancy on the Commission created by the resignation, dismissal, disability, or death of a member shall be for the balance of the unexpired term. Vacancies in appointments made by the General Assembly shall be filled as provided in G.S. 120-122.

(c), (d) Repealed by Session Laws 2010-31, s. 13.2(h), effective July 1, 2010.

(e) Officers. – The Board shall elect a Chair from among its members. The Chair shall serve from the time of election until 30 June of the following year, or until a successor is elected.

(f) Compensation. – Board members who are State employees shall receive no per diem compensation for serving on the Board but shall be reimbursed for their expenses in accordance with G.S. 138-6. All other Board members shall receive per diem compensation and reimbursement in accordance with the compensation rate established in G.S. 93B-5.

(g) Quorum. – A majority of the members of the Board constitutes a quorum for the transaction of business.

(h) Meetings. – The Board shall meet at least twice each year and may hold special meetings at the call of the Chair or a majority of the members of the Board.

(i) Repealed by Session Laws 2010-31, s. 13.2(h), effective July 1, 2010."

SECTION 7.(b) This section is effective when it becomes law and applies to terms beginning on or after that date.

SECTION 8. G.S. 90A-74 reads as rewritten:

"**§ 90A-74. Powers and duties of the Board.**

The Board shall have the following general powers and duties:

(1) To adopt rules in the manner prescribed by Chapter 150B of the General Statutes to govern its actions and to implement the provisions of this ~~Article.~~Article, as well as the provisions of G.S. 130A-336.2.
(2) To determine the eligibility requirements for persons seeking certification pursuant to this Article.
(3) To establish grade levels of certifications based on design capacity, complexity, projected costs, and other features of approved on-site wastewater systems.
(4) To develop and administer examinations for specific grade levels of certification as approved by the Board. The Board may approve applications by recognized associations for certification of its members after a review of the requirements of the association to ensure that they are equivalent to the requirements of the Board.
(5) To issue, renew, deny, restrict, suspend, or revoke certifications and to carry out any of the other actions authorized by this Article.
(6) To establish, publish, and enforce rules of professional conduct of persons who are certified pursuant to this Article.
(7) To maintain a record of all proceedings and make available to persons certified under this Article, and to other concerned parties, an annual report of all Board action.
(8) To establish reasonable fees for application, certification, and renewal, and other services provided by the Board.
(9) To conduct investigations to determine whether violations of this Article or grounds for disciplining persons certified under this Article exist.
(10) To adopt a common seal containing the name of the Board for use on all certificates and official reports issued by the Board.
(10a) To employ staff necessary to carry out the provisions of this Article and to determine the compensation, duties, and other terms and conditions of employment of its staff.
(10b) To employ professional, clerical, investigative, or special personnel necessary to carry out the provisions of this Article.
(10c) To acquire, hold, convey, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject only to the approval of the Governor and Council of State. The rents, proceeds, and other revenues and benefits of the ownership of real property shall inure to the Board. Collateral pledged by the Board for any encumbrance of real property shall be limited to the assets, income, and revenues of the Board.
(11) To conduct other services necessary to carry out the purposes of this Article."

DIRECT THE BUILDING CODE COUNCIL TO CREATE AN ON-SITE WASTEWATER EXISTING SYSTEM AFFIDAVIT

SECTION 8.1.(a) G.S. 160D-1110 is amended by adding a new subsection to read:

"(h1) No local government may withhold a building permit under this section where the project does not propose to increase the design daily flow or wastewater strength of the existing system, and the property owner submits an on-site wastewater existing system inspection exemption affidavit. The property owner shall affirm that any modifications will meet local and State on-site wastewater system setback requirements pursuant to G.S. 130A-335."

SECTION 8.1.(b) The North Carolina Building Code Council, with assistance from the North Carolina Department of Insurance, shall create an on-site wastewater existing system inspection exemption affidavit for distribution to all building inspection departments throughout the State. The on-site wastewater existing system inspection exemption affidavit shall inform the

property owner of their ability to consult with an authorized on-site wastewater evaluator certified by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board or an inspector, as defined in G.S. 90A-71(5), to locate the on-site wastewater existing system and verify system setback requirements prior to executing the affidavit at the option of the property owner. The property owner shall not be required to consult with an authorized on-site wastewater evaluator or an inspector to submit an on-site wastewater existing system inspection exemption affidavit to a local health department.

SECTION 8.1.(c) The Building Code Council shall create and distribute the affidavit required by subsection (b) of this section no later than October 1, 2023.

WASTEWATER ELECTRICAL CHANGES

SECTION 9. G.S. 87-43.1 reads as rewritten:

"**§ 87-43.1. Exceptions.**

The provisions of this Article shall not apply:

…

(11) To the installation, construction, maintenance, or repair of electrical wiring or devices, appliances, or equipment by a person who is an on-site wastewater contractor certified pursuant to Article 5 of Chapter 90A of the General Statutes when the contractor is wiring the wastewater pump to the control panel for the wastewater system."

REPEAL OPTIONAL BUILDING INSPECTION FOR PRIVATE DRINKING WATER WELLS AND MODIFY PERMIT AUTHORIZATION

SECTION 9.5. G.S. 87-97 reads as rewritten:

"**§ 87-97. ~~Permitting, inspection,~~ Permitting and testing of private drinking water wells.**

(a) Mandatory Local Well Programs. – Each county, through the local health department that serves the county, shall implement a private drinking water well permitting, inspection, and testing program. The local health department shall be the exclusive authority for the permitting of wells and well systems as described in G.S. 143-138(b17)(2). Local health departments shall administer the program and enforce the minimum well construction, permitting, inspection, repair, and testing requirements set out in this Article and rules adopted pursuant to this Article. No person shall unduly delay or refuse to permit a well that can be constructed or repaired and operated in compliance with the requirements set out in this Article and rules adopted pursuant to this Article.

…

~~(b1) Inspections. When a permit is issued under this section, the local health department shall be responsible for notifying the appropriate building inspector of the issuance of the well permit. The appropriate building inspector may request from the local health department the opportunity to inspect the activities authorized by the permit. The inspection must be performed prior to the final inspection performed by the local health department, and the well contractor shall not be required to be onsite for the inspection by the building inspector. If an inspection by a building inspector after the final inspection has been performed by the local health department is determined to be necessary for the protection of public health, safety, or welfare, the local building inspections department shall be responsible for (i) the additional costs for the inspection and related activities necessary for the inspection and (ii) any damages to the well system caused during the inspection.~~

(b2) Permit to Include Authorization for Piping and Electrical. – A permit issued under this section shall also be deemed to include authorization for all of the following:

(1) The installation, construction, maintenance, or repair of electrical wiring, devices, appliances, or equipment by a person certified as a well contractor

under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch.

(2) The installation, construction, maintenance, or repair of water pipes by a person certified as a well contractor under Article 7A of this Chapter when running water pipes from the well to the water tank.

(3) The installation of both water pipes and electrical wiring in a single ditch by a person certified as a well contractor under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch or other pressure sensing device and water pipes from the well to the water tank. The ditch shall be as deep as the minimum cover requirements for either electrical wiring or water pipes, whichever is greater. The ditch shall be covered by a person certified as a well contractor under Article 7A of this Chapter upon the completion of the activities conducted pursuant to this subsection.

This subsection shall not be interpreted to prohibit any person licensed by an independent occupational licensing board from performing any authorized services within the scope of practice of the person's license.

…."

PROHIBIT FORCED SEWER CONNECTIONS IN CERTAIN SITUATIONS

SECTION 10.(a) G.S. 160A-317(a) reads as rewritten:

"**§ 160A-317. Power to require connections to water or sewer service and the use of solid waste collection services.**

(a) Connections. – ~~A~~ Except as provided in subdivisions (1) and (2) of this subsection, a city may require an owner of developed property on which there are situated one or more residential dwelling units or commercial establishments located within the city limits and within a reasonable distance of any water line or sewer collection line owned, leased as lessee, or operated by the city or on behalf of the city to connect the owner's premises with the water or sewer line or both, and may fix charges for the connections. In lieu of requiring connection under this subsection and in order to avoid hardship, the city may require payment of a periodic availability charge, not to exceed the minimum periodic service charge for properties that are connected. The following provisions apply to a city's authority to require connection of an owner's premises to a water or sewer line:

(1) A property owner shall be exempt from mandatory connection to a city's sewer if:

a. The city has inadequate capacity to transport and treat the proposed new wastewater from the premises at the time of connection.

b. The costs of connection, including the costs of underground piping and connections to the dwelling or building, exceed the costs of installing an on-site wastewater system authorized pursuant to Article 11 of Chapter 130A of the General Statutes. Determination of the comparative costs of connection shall be assessed by (i) a licensed soil scientist, as defined in G.S. 89F-3, (ii) an on-site wastewater contractor certified under Article 5 of Chapter 90A of the General Statutes, or (iii) a plumbing contractor licensed under Article 2 of Chapter 87 of the General Statutes. If a property owner elects to install an on-site wastewater system in lieu of connection to the city's sewer system pursuant to this subdivision, (i) the on-site wastewater system shall comply with all applicable requirements of Article 11 of Chapter 130A of the General Statutes, and rules adopted thereunder, and (ii) the owner shall have sole responsibility for the system and its use and performance.

(2) A property owner shall be exempt from a mandatory connection to a city's water supply if adequate water pressure cannot be achieved using the same piping size as the meter provides to the owner's premises. A city is prohibited from requiring a property owner to install a larger meter and corresponding larger piping connection, or imposing an increased fee, to achieve adequate water pressure. For purposes of this subdivision, the term "adequate water pressure" shall mean the average water pressure delivered to all connected customers within a one-quarter mile radius in either direction of the owner's point of connection. In order to establish the adequacy or inadequacy of water pressure for purposes of this subdivision, a property owner shall submit to the city a determination of same prepared by a professional engineer, licensed in accordance with the provisions of Chapter 89C of the General Statutes. In the event water pressure is determined to be inadequate, a property owner may elect, in lieu of connection to the city's water supply, to install a private drinking water well, as that term is defined under G.S. 87-85, which well shall be approved by the city if the well meets the requirements of Chapter 87 of the General Statutes and rules adopted thereunder. A city, however, shall have no liability for the quality or quantity of water, or water pressure, from a private drinking water well installed pursuant to this subdivision."

SECTION 10.(b) G.S. 153A-284 reads as rewritten:

"**§ 153A-284. Power to require connections.**

(a) A county may require the owner of developed property on which there are situated one or more residential dwelling units or commercial establishments located so as to be served by a water line or sewer collection line owned, leased as lessee, or operated by the county or on behalf of the county to connect the owner's premises with the water or sewer line and may fix charges for these connections. A county may only require connection of an owner's premises to a sewer line, however, if the county has adequate capacity to transport and treat the proposed new wastewater from the premises at the time of connection.

…."

ESTABLISH A REGISTERED ENVIRONMENTAL HEALTH ASSOCIATE CERTIFICATION

SECTION 10.1.(a) Subdivisions (2a) and (2b) of G.S. 90A-51 are recodified as subdivisions (2b) and (2c) of G.S. 90A-51.

SECTION 10.1.(b) Article 4 of Chapter 90A of the General Statutes, as amended by subsection (a) of this section, reads as rewritten:

"Article 4.

"Registrations of Environmental Health Specialists.

…

"**§ 90A-51. Definitions.**

The words and phrases defined below shall when used in this Article have the following meaning unless the context clearly indicates otherwise:

(1) ~~"Board" means the~~ Board. – The Board of Environmental Health Specialist Examiners.

(2) ~~"Certificate of registration" means a~~ Certificate of registration. – A document issued by the Board as evidence of registration and qualification to practice as a registered environmental health specialist or a registered environmental health specialist intern under this Article. The certificate shall bear the designation "Registered Environmental Health Specialist" or "Registered Environmental Health Specialist Intern" and show the name of the person, date of issue, serial number, seal, and signatures of the members of the Board.

(2a) Environmental health associate. – A public health professional who meets the educational requirements under this Article, has attained specialized training, and reports directly to a registered environmental health specialist.

(2b) ~~"Environmental health practice" means the~~ Environmental health practice. – The provision of environmental health services, including administration, organization, management, education, enforcement, and consultation regarding environmental health services provided to or for the public. These services are offered to prevent environmental hazards and promote and protect the health of the public in the following areas: food, lodging, and institutional sanitation; on-site wastewater treatment and disposal; public swimming pool sanitation; childhood lead poisoning prevention; well permitting and inspection; tattoo parlor sanitation; and all other areas of environmental health requiring the delegation of authority by the Division of Public Health of the Department of Health and Human Services to State and local environmental health professionals to enforce rules adopted by the Commission for Public Health. The definition also includes local environmental health professionals enforcing rules of local boards of health for on-site wastewater systems and wells.

(2c) ~~"Environmental health specialist" means a~~ Environmental health specialist. – A public health professional who meets the educational requirements under this Article and has attained specialized training and acceptable environmental health field experience effectively to plan, organize, manage, provide, execute, and evaluate one or more of the many diverse elements comprising the field of environmental health practice.

(2d) Registered environmental health associate. – An environmental health associate registered in accordance with the provisions of this Article.

(3) Repealed by Session Laws 2009-443, s. 2, effective August 7, 2009.

(4) ~~"Registered environmental health specialist" means an~~ Registered environmental health specialist. – An environmental health specialist registered in accordance with the provisions of this Article.

For purposes of this Article the following are not included within the definition of "registered environmental health specialist" unless the person is working as an environmental health specialist:

a. A person teaching, lecturing, or engaging in research.

b. A person who is a sanitary engineer, public health engineer, public health engineering assistant, registered professional engineer, industrial hygienist, health physicist, chemist, epidemiologist, toxicologist, geologist, hydrogeologist, waste management specialist, or soil scientist.

c. A public health officer or public health department director.

d. A person who holds a North Carolina license to practice medicine, veterinary medicine, or nursing.

e. Laboratory personnel when performing or supervising the performance of sanitation related laboratory functions.

(5) ~~"Registered environmental health specialist intern" means a~~ Registered environmental health specialist intern. – A person who possesses the necessary educational qualifications as prescribed in G.S. 90A-53, but who has not completed the experience and specialized training requirements in the field of public health sanitation as required for registration.

"**§ 90A-52. Practice without certificate unlawful.**

(a) In order to safeguard life, health and the environment, it shall be unlawful for any person to practice as an environmental health specialist or an environmental health specialist intern in the State of North Carolina or use the title "registered environmental health specialist" or "registered environmental health specialist intern" unless the person shall have obtained a certificate of registration from the Board. No person shall offer services as a registered environmental health specialist or registered environmental health specialist intern or use, assume or advertise in any way any title or description tending to convey the impression that the person is a registered environmental health specialist or registered environmental health specialist intern unless the person is the holder of a current certificate of registration issued by the Board.

(b) ~~Notwithstanding the provisions of~~ The following limited exceptions apply to the practice prohibitions in subsection (a) of this ~~section, a~~ section:

(1) A person may practice as an environmental health specialist intern for a period not to exceed ~~three~~ two years from the date of the initial registration, provided the person has obtained a temporary certificate of registration from the Board.

(2) A registered environmental health associate, directly reporting to a registered environmental health specialist, may perform all of the following duties in accordance with the rules adopted by the Commission for Public Health:

a. Permitting and inspections of private water wells.

b. Inspections of Category I food establishments, temporary food establishments, and limited food service establishments.

c. Inspections of lodging establishments.

d. Permitting and inspections of any Type II or Type III on-site wastewater systems, including system layouts and existing wastewater systems.

e. Inspections of migrant housing.

f. Inspections of private, public, and religious schools.

g. Inspections of local confinement facilities.

h. Inspections of residential care facilities.

"**§ 90A-53. Qualifications and examination for registration as an environmental health specialist or environmental health specialist intern.**

(a) The Board shall issue a certificate to a qualified person as a registered environmental health specialist or a registered environmental health specialist intern. A certificate as a registered environmental health specialist or a registered environmental health specialist intern shall be issued to any person upon the Board's determination that the ~~person:~~person meets the following criteria:

(1) Has made application to the Board on a form prescribed by the Board and paid a fee not to exceed one hundred dollars ($100.00);

(2) Is of good moral and ethical character and has signed an agreement to adhere to the Code of Ethics adopted by the Board;

(3) Meets any of the following ~~combinations of~~ education and practice experience standards:

a. Graduated ~~from a baccalaureate or~~ with a bachelor's degree or a postgraduate degree from a program that is accredited by the National Environmental Health Science and Protection Accreditation Council ~~(EHAC) and has one or more years of experience in the field of environmental health practice; or~~(EHAC).

b. Graduated ~~from a baccalaureate or postgraduate degree program that is accredited by an accrediting organization recognized by the United States Department of Education, Council for Higher Education Accreditation (CHEA) and meets both of the following:~~with a

bachelor's degree or a postgraduate degree in public health and has one or more years of experience in the field of environmental health practice.

1. ~~Earned a minimum of 30 semester hours or its equivalent in the physical or biological sciences; and~~
2. ~~Has two or more years of experience in the field of environmental health practice.~~

c. Graduated ~~from a baccalaureate program rated as acceptable by the Board and meets both of the following:~~

1. ~~Earned~~ with a bachelor's degree or postgraduate degree, has earned a minimum of 30 semester hours ~~or its equivalent~~ or 45 quarter hours in the ~~physical or biological sciences; and~~
2. ~~Has two~~ physical, biological, natural, life, or health sciences and has one or more years of experience in the field of environmental health practice.

d. Has worked five or more continuous years as a registered environmental health associate.

(4) Has satisfactorily completed a course in specialized instruction and training approved by the Board in the practice of environmental ~~health;~~health.

(5) Repealed by Session Laws 2009-443, s. 4, effective August 7, 2009.

(6) Has passed an examination administered by the Board designed to test for competence in the subject matters of environmental health sanitation. The examination shall be in a form prescribed by the Board and may be oral, written, or both. The examination for applicants shall be held annually or more frequently as the Board may by rule prescribe, at a time and place to be determined by the Board. A person shall not be registered if such person fails to meet the minimum grade requirements for examination specified by the Board. Failure to pass an examination shall not prohibit such person from being examined at subsequent times and places as specified by the ~~Board; and~~Board.

(7) Has paid a fee set by the Board not to exceed the cost of purchasing the examination and an administrative fee not to exceed one hundred fifty dollars ($150.00).

(b) The Board may issue a certificate to a person serving as a registered environmental health specialist intern without the person meeting the full requirements for experience of a registered environmental health specialist for a period not to exceed ~~three~~ two years from the date of initial registration as a registered environmental health specialist intern, provided, the person meets the educational requirements in G.S. 90A-53 and is in the field of environmental health practice.

"**§ 90A-53.1. Qualifications for registration as an environmental health associate.**

The Board shall issue a certificate to a qualified person as a registered environmental health associate upon the Board's determination that the person satisfies all of the following criteria:

(1) Has made application to the Board on a form prescribed by the Board and paid a fee not to exceed one hundred dollars ($100.00).

(2) Is of good moral and ethical character and has signed an agreement to adhere to the Code of Ethics adopted by the Board.

(3) Possesses one or more of the following educational qualifications:

a. Graduated with an associate, bachelor's, or postgraduate degree from a program that is accredited by the National Environmental Health Science and Protection Accreditation Council (EHAC) and

satisfactorily completed general and specialized instruction and training in environmental health approved by the Department.

b. Graduated with an associate, bachelor's, or postgraduate degree and earned a minimum of 15 semester hours in the physical, biological, natural, life, or health sciences and satisfactorily completed general and specialized instruction and training in environmental health approved by the Department.

"**§ 90A-53.2. Revocation or suspension of a registered environmental health associate.**

The authorization of a registered environmental health associate by the Department under the authority provided in G.S. 130A-4(b) may be suspended or revoked as set forth in rules adopted by the Department.

…

"**§ 90A-63. Renewal of certificates.**

(a) A certificate as a registered environmental health ~~specialist or~~ specialist, registered environmental health specialist ~~intern~~ intern, or registered environmental health associate issued pursuant to the provisions of this Article will expire on the thirty-first day of December of the current year and must be renewed annually on or before the first day of January. Each application for renewal must be accompanied by a renewal fee to be determined by the Board, but not to exceed one hundred twenty-five dollars ($125.00). However, for renewals postmarked before January 1 of each year, the renewal fee shall not exceed one hundred dollars ($100.00).

(b) Registrations expired for failure to pay renewal fees may be reinstated under the rules and regulations adopted by the Board.

(c) A registered environmental health ~~specialist~~ specialist, registered environmental health intern, or registered environmental health associate shall complete any continuing education requirements specified by the Board for renewal of a certificate.

…

"**§ 90A-65. Representing oneself as a registered environmental health ~~specialist or~~ specialist, registered environmental health specialist ~~intern.~~intern, or registered environmental health associate.**

A holder of a current certificate of registration may append to his or her name the letters, ~~"R.E.H.S." or "R.E.H.S.I."~~"R.E.H.S.," "R.E.H.S.I.," or "R.E.H.A."

…."

SECTION 10.1.(c) The Board of Environmental Health Specialist Examiners shall amend its rules consistent with this act.

SECTION 10.1.(d) Subsections (a) and (b) of this section become effective May 1, 2024. The remainder of this section is effective when it becomes law.

WASTEWATER APPROVAL AUTHORITY TECHNICAL CORRECTION

SECTION 10.2. If Senate Bill 582, 2023 Regular Session, becomes law, then G.S. 130A-343(h), as amended by Section 17(a) of that act and as amended by Section 6(a) of this act, reads as rewritten:

"(h) Accepted Wastewater Dispersal Systems. – A manufacturer of an Innovative wastewater dispersal system or other approved trench dispersal system specifically identified in a rule adopted by the Commission that has been in general use in this State for a minimum of five years may petition the Commission to have the system designated as an Accepted wastewater system as provided in this subsection. The manufacturer shall provide the Commission with the data and findings of all prior evaluations of the performance of the system in this State and other states referenced in the petition, including disclosure of any conditions found to result in unacceptable structural integrity, treatment, or hydraulic performance. In addition, the manufacturer shall provide the Commission with information sufficient to enable the Commission to fully evaluate the performance of the system in this State for at least the five-year

period immediately preceding the petition. The Commission shall designate a wastewater dispersal system as an Accepted wastewater system only if it finds that there is clear, convincing, and cogent evidence based on actual field surveys and county activity reports (i) to confirm the findings made by the Department at the time the Department approved the system as a wastewater dispersal system and (ii) that the system performs in a manner that is equal or superior to a conventional or Accepted wastewater system under actual field conditions in this State. The Commission shall specify the circumstances in which use of the system is appropriate and any conditions and limitations related to the use of the system. If the ~~Department~~ Commission designates a wastewater dispersal system as an Accepted wastewater system pursuant to this section, the following shall apply:

(1) The approval shall be limited to the manufacturer who submitted the petition and received the Accepted status from the Commission.

(2) Neither the Commission, the Department, or any local health department shall condition, delay, or deny the substitution of any Accepted wastewater system based on location of nitrification lines when all parts of the dispersal field can be installed within the approved initial dispersal field area while complying with all Commission rules."

SEVERABILITY CLAUSE

SECTION 11. If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.

EFFECTIVE DATE

SECTION 12. Fees assessed pursuant to G.S. 130A-335(a6), as amended by Section 1 of this act, fees assessed pursuant to G.S. 130A-336.1(n), as amended by Section 3 of this act, and fees assessed pursuant to G.S. 130A-336.2(n), as amended by Section 4 of this act, shall become effective September 1, 2023. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 29th day of June, 2023.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 12:27 p.m. this 10th day of July, 2023

ITEM #: VI.A

LEE COUNTY AGENDA ABSTRACT
BOARD OF COMMISSIONERS - REGULAR

MEETING DATE: November 6, 2023

SUBJECT: September 2023 Financial Report

DEPARTMENT: Finance

CONTACT PERSON: Candace Iceman, Finance Director

TYPE: Information

REQUEST	Please review the attached monthly financial report.
BUDGET IMPACT	See attached.
ATTACHMENTS	September 2023.pdf
PRIOR BOARD ACTION	N/A
RECOMMENDATION	Please review the attached monthly financial report.

SUMMARY

The September 2023 Monthly Financial Report is attached for your review. Tax collections as a percentage of budget are at 18.68%. In reviewing expenditures, the percentage used target is 25%. A few of our departments are ahead of the target due to the inclusion of encumbrances. If encumbrances are excluded, IT remains ahead of the target due to the payment of annual maintenance agreements.

Lee County
Monthly Financial Report
For the Month Ended
September 30, 2023

	For the year ending June 30, 2023				For the year ending June 30, 2024				
	22-23 Budget	YTD Thru 9/30/22	September 2022	% Used	23-24 Budget	YTD Thru 9/30/23	September 2023	Encumbrances	% Used
General Fund									
Revenues									
Ad Valorem Taxes	48,876,205	8,947,085.16	2,890,472.60	18.31%	57,610,237	10,762,754.59	4,077,360.68		18.68%
Local Option Sales Taxes	23,189,575	-	-	0.00%	27,219,851	-	-		0.00%
Other Taxes and Licenses	710,740	228,381.29	102,601.75	32.13%	714,000	253,068.43	116,338.46		35.44%
Unrestricted Intergovernmental	377,727	-	-	0.00%	285,797	-	-		0.00%
Restricted Intergovernmental	10,512,530	1,508,125.24	894,949.96	14.35%	10,263,071	1,177,720.45	652,179.81		11.48%
Permits and Fees	298,260	81,882.94	25,761.31	27.45%	332,856	82,878.78	26,454.97		24.90%
Sales and Services	3,267,244	650,368.26	225,481.52	19.91%	4,272,473	790,019.47	272,060.72		18.49%
Investment Earnings	100,000	130,224.73	67,354.34	130.22%	500,000	322,461.81	109,049.90		64.49%
Miscellaneous	289,745	97,185.43	70,383.48	33.54%	461,010	211,189.26	9,776.75		45.81%
Total Revenues	87,622,026	11,643,253.05	4,277,004.96	13.29%	101,659,295	13,600,092.79	5,263,221.29		13.38%
Expenditures									
General Government									
Governing Body	238,272	78,851.99	16,274.74	33.09%	255,296	54,541.57	15,639.98	5,064.36	23.35%
Administration	1,229,640	272,440.08	99,864.58	22.16%	1,044,419	229,082.53	100,020.15	9,451.45	22.84%
Human Resources	625,597	133,174.15	50,900.49	21.29%	963,441	182,119.75	80,887.53	123,568.12	31.73%
Finance	513,413	150,667.18	67,604.79	29.35%	799,025	176,241.18	70,131.58	99,483.62	34.51%
Internal Services	801,905	217,861.74	57,612.47	27.17%	659,382	142,391.85	43,474.37	65,057.09	31.46%
Tax Administration	2,192,899	501,128.06	189,321.59	22.85%	2,437,166	453,259.52	179,499.00	368,535.04	33.72%
Strategic Services	590,154	151,616.59	56,111.64	25.69%	648,618	172,071.15	62,794.07	3,685.25	27.10%
County Attorney	462,231	78,676.85	26,216.11	17.02%	969,993	181,441.54	81,516.71	10,206.50	19.76%
Court Facilities	13,952	944.72	107.49	6.77%	13,952	1,551.35	739.01	1,821.18	24.17%
Elections	607,447	87,699.23	27,695.88	14.44%	890,839	124,623.16	47,571.70	51,411.55	19.76%
Register of Deeds	441,822	106,349.10	39,346.27	24.07%	559,140	119,761.98	51,485.24	37,266.59	28.08%
IT	1,650,089	648,061.41	258,911.73	39.27%	2,000,130	725,404.42	277,351.66	117,584.54	42.15%
General Services	4,697,322	1,054,001.84	374,684.62	22.44%	5,877,165	1,100,004.46	362,176.80	592,061.94	28.79%
Buggy Factory	72,993	4,808.46	2,099.56	N/A	140,322	6,546.99	3,127.20	15,722.00	15.87%
Total	14,137,736	3,486,281.40	1,266,751.96	24.66%	17,258,888	3,669,041.45	1,376,415.00	1,500,919.23	29.96%
Public Safety									
Sheriff	7,667,448	1,705,458.37	872,498.17	22.24%	11,923,611	2,519,177.99	1,052,206.06	867,439.99	28.40%
Jail	2,437,460	310,224.84	119,201.28	12.73%	3,762,671	388,256.80	136,956.25	920,226.28	34.78%
911 Communications	458,608	114,651.99	38,217.33	25.00%	494,960	115,574.01	38,524.67	-	23.35%
State Fire Control Contribution	106,730	12,795.54	12,795.54	11.99%	124,182	-	-	-	0.00%
Medical Examiner	70,000	17,700.00	11,000.00	25.29%	70,000	800.00	-	-	1.14%
Juvenile Detention	81,200	18,225.00	-	22.44%	201,200	20,850.00	20,850.00	-	10.36%
Emergency Medical Services	988,892	223,613.76	74,537.92	22.61%	983,262	245,815.50	81,938.50	-	25.00%
Emergency Services	370,227	61,800.23	23,224.14	16.69%	609,160	96,608.46	37,876.99	66,743.68	26.82%
Fire Marshall	362,698	79,614.24	32,141.63	21.95%	569,068	143,962.40	85,608.19	28,714.95	30.34%
Total	12,543,263	2,544,083.97	1,183,616.01	20.28%	18,738,114	3,531,045.16	1,453,960.66	1,883,124.90	28.89%

Lee County
Monthly Financial Report
For the Month Ended
September 30, 2023

	For the year ending June 30, 2023				For the year ending June 30, 2024				
	22-23 Budget	YTD Thru 9/30/22	September 2022	% Used	23-24 Budget	YTD Thru 9/30/23	September 2023	Encumbrances	% Used
Economic/Physical Development									
Planning	560,574	140,143.50	-	25.00%	805,579	170,144.75	-	-	21.12%
Economic Development	1,091,520	96,086.75	235.56	8.80%	1,984,446	160,623.07	35,685.05	160,418.00	16.18%
Cooperative Extension	370,595	51,181.07	23,754.22	13.81%	395,555	63,228.94	27,347.59	-	15.98%
Conservation	148,015	37,189.93	14,283.67	25.13%	166,499	39,956.68	17,268.07	-	24.00%
Total	2,170,704	324,601.25	38,273.45	14.95%	3,352,079	433,953.44	80,300.71	160,418.00	17.73%
Health and Welfare									
Health Department	5,163,275	928,004.49	398,143.97	17.97%	5,250,399	987,734.78	449,704.98	354,055.39	25.56%
Mental Health	240,000	60,000.00	20,000.00	25.00%	240,000	60,000.00	20,000.00	-	25.00%
Social Services-Admin	8,514,121	1,956,027.22	844,844.23	22.97%	9,663,837	2,081,333.15	906,826.06	166,928.40	23.26%
Social Services-Programs	1,322,236	109,741.44	36,812.07	8.30%	972,467	109,761.24	39,785.28	56,900.40	17.14%
Human Services Nonprofits	62,500	29,374.97	3,124.99	47.00%	43,500	10,874.97	3,624.99	-	25.00%
Human Services - Revenue Loss	-	-	-	N/A	210,000	52,500.00	-	-	25.00%
Human Services - State Grant	-	-	-	N/A	-	(418,428.39)	-	-	N/A
Senior Services - Transportation	1,308,073	297,317.02	117,124.81	22.73%	1,800,493	277,686.00	108,428.42	399,043.30	37.59%
Senior Services - General	1,368,665	300,989.40	121,969.92	21.99%	1,686,063	315,948.21	134,589.29	164,222.50	28.48%
JCPC	205,084	49,201.97	16,397.99	23.99%	205,084	48,902.00	16,298.00	146,682.00	95.37%
Emergency and Contingency	45,000	-	-	0.00%	45,000	-	-	-	0.00%
Total	18,228,954	3,730,656.51	1,558,417.98	20.47%	20,116,843	3,526,311.96	1,679,257.02	1,287,831.99	23.93%
Education									
School Current Expense	19,610,524	4,902,630.99	1,634,210.33	25.00%	20,134,024	5,033,505.99	1,677,835.33	-	25.00%
School Capital Outlay	2,032,500	336,875.01	112,291.67	16.57%	2,032,500	336,875.01	112,291.67	-	16.57%
CCCC Current Expense & Civic Ctr.	3,477,235	869,308.74	289,769.58	25.00%	3,577,235	894,308.73	298,102.91	-	25.00%
CCCC Special Appropriation	250,000	-	-	0.00%	250,000	-	-	-	0.00%
CCCC E Eugene Moore Center	920,000	62,312.19	22,657.32	N/A	920,000	230,000.01	76,666.67	-	25.00%
CCCC Capital Outlay	100,000	24,999.99	8,333.33	25.00%	110,000	27,500.01	9,166.67	-	25.00%
Total	26,390,259	6,196,126.92	2,067,262.23	23.48%	27,023,759	6,522,189.75	2,174,063.25	-	24.14%
Cultural and Recreational									
Libraries	1,000,364	223,785.37	83,909.94	22.37%	1,278,510	241,830.42	106,699.67	17,184.13	20.26%
Libraries - Grants	-	-	-	N/A	51,362	3,205.93	3,205.93	659.63	7.53%
Parks and Recreation	2,313,183	407,575.88	145,378.93	17.62%	2,575,345	474,714.18	190,055.49	312,388.00	30.56%
Nonprofits	7,500	1,875.00	625.00	25.00%	10,000	2,499.99	833.33	-	25.00%
Total	3,321,047	633,236.25	229,913.87	19.07%	3,915,217	722,250.52	300,794.42	330,231.76	26.88%
Debt Service	11,643,345	836,263.27	567,910.93	7.18%	11,928,312	654,186.99	501,693.33	-	5.48%
Total Expenditures	88,435,308	17,751,249.57	6,912,146.43	20.07%	102,333,212	19,058,979.27	7,566,484.39	5,162,525.88	23.67%
Revenues Over (Under) Expenditures	(813,282)	(6,107,996.52)	(2,635,141.47)	N/A	(673,917)	(5,458,886.48)	(2,303,263.10)	N/A	N/A

Lee County
Monthly Financial Report
For the Month Ended
September 30, 2023

	For the year ending June 30, 2023				For the year ending June 30, 2024				
	22-23 Budget	YTD Thru 9/30/22	September 2022	% Used	23-24 Budget	YTD Thru 9/30/23	September 2023	Encumbrances	% Used
Other Financing Sources (Uses):									
Transfers From Other Funds	353,698	-	-	0.00%	465,600	-	-	-	0.00%
Transfers to Other Funds	(5,322,487)	-	-	0.00%	(3,722,105)	-	-	-	0.00%
Total Other Financing Sources (Uses)	(4,968,789)	-	-	0.00%	(3,256,505)	-	-	-	0.00%
Revenues and Other Financing Sources Over (Under) Expenditures and Other Financing (Uses)	(5,782,071)	(6,107,996.52)	(2,635,141.47)	N/A	(3,930,422)	(5,458,886.48)	(2,303,263.10)	N/A	N/A
Appropriated Fund Balance	5,782,071	-	-	0.00%	3,930,422	-	-	-	0.00%
Revenues, Other Financing Sources and Appropriated Fund Balance Over (Under) Expenditures and Other Financing Uses	-	(6,107,996.52)	(2,635,141.47)	N/A	-	(5,458,886.48)	(2,303,263.10)	N/A	N/A