



**Bulletin #13-06**  
**Friday, March 8, 2013**

## **Senate bill filed to allow counties to post required notices electronically**

A bill was filed in the Senate this week that would accomplish an Association legislative goal to allow counties to publish required notices on their county website, in addition to or in lieu of purchasing ads in newspapers. Sen. Trudy Wade, a former Guilford County Commissioner, and Sen. Andrew Brock of Davie County are the prime sponsors of the bill. The legislation would allow a board of commissioners to adopt an ordinance to make this change, and the county would have to publish specific instructions "as to how to access all notices published under an ordinance adopted pursuant to this section at least once a month for 12 months in a newspaper having a general circulation for that jurisdiction." According to a survey conducted by the NCACC in 2012, the legislation could save counties more than \$2 million per year.

The county would still have to meet the deadlines for publishing the notice in a newspaper, and the county website homepage would have to have either links to all the notices on the main page, or a link on its main page to an index page that has links to all the notices. The notices would have to be maintained on the website for at least one year after publication, and the clerk or a person designated by the board would have to maintain a notice book with copies of all the public notices "appropriately indexed and maintained for public inspection." Counties would also be required to provide a copy of each notice to each public library and the clerk of superior court within the jurisdiction of the governing board, and the county would still have to offer to citizens the option of signing up to receive copies of the notices either by mail or e-mail. The county ordinance "may not supersede any general law or local act that requires notice by mail to certain persons or classes of persons or the posting of signs on certain property." The county may choose to apply the ordinance to any board appointed by the county governing board, including the board of social services and board of health. The county board of elections may also choose to adopt an ordinance for the same purpose.

## **Counties could choose to own, build schools under Senate bill**

A Senate bill was filed Thursday that would accomplish the Association's legislative goal to "authorize the option for counties to acquire, own and construct traditional public school sites and facilities." **S236** is co-sponsored by Sen. Neal Hunt (Wake), Sen. Pete Brunstetter (Forsyth) and Sen. Tom Apodaca (Buncombe). It would allow a county to adopt a resolution "to assume responsibility for some or all of owning, siting, acquiring, constructing, equipping, expanding, improving, repairing, and renovating property for use by a named school administrative unit located wholly within the county." If a county adopts a resolution, the Board of Commissioners would still be required to consult with the local Board of Education in "siting, design, construction, equipping, expansion, improvement, or renovation of the property."

## **House to vote on inspections bill Monday**

The House Finance and Local Government committees approved H120 (Building Inspections/Local Consistency) this week, and the bill has been scheduled for a vote by the full House on Monday. The bill would essentially limit a local government's ability to make surprise inspections of one- and two-family residential units by requiring counties and cities to obtain permission from the N.C. Building Code Council before making "routine inspections of buildings or structures constructed pursuant to the North Carolina Residential Code for One- and Two-Family Dwellings in addition to the specific inspections required by the North Carolina Building Code." The bill was amended in committee to exempt structures that support cable television operations from the building code. It is on the House calendar for Monday, March 11.

## **How low can you go?**

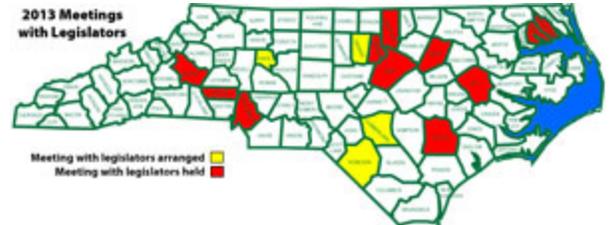


Watch the latest episode of This Week at the General Assembly on the NCACC's [Youtube Channel](#). The show is uploaded each Friday afternoon and features a recap of the week's news from the Legislature as well as interviews with key state lawmakers and Association lobbyists. The program is also broadcast on many PEG channels across the state.

A Senate bill would allow a county to give preference to local bidders when awarding contracts for certain activities, such as construction, repair work, or the purchase of goods or materials. **S232**, sponsored by Sen. Dan Soucek (Watauga), defines a local bidder as "a bidder that has paid unemployment taxes or income taxes in this State and whose principal place of business is located within the boundaries of the county or municipality giving the preference." If the lowest bidder is not a local bidder, the county has the option to award the contract to the lowest local bidder if their original bid is within 5% or \$10,000, whichever is less, of the lowest bid, and the local bidder agrees to match the lowest bid.

## Counties meeting with legislators

The 2013 Meeting in a Box campaign is underway, and many counties have scheduled or already held meetings with their legislators to discuss counties' 2013-2014 legislative agenda. Each county was mailed a box of information in late February that included all the materials needed to hold a meeting with its state legislative delegation. The Association is encouraging each county to hold a meeting with its delegation during the month of March or April and then report on the meeting at an [NCACC District Meeting](#) in April.



The NCACC will host seven district meetings throughout the state, beginning April 3 in Randolph County. Counties in red on the map have already held a meeting with their delegation, and counties in yellow have scheduled a meeting with their delegation. If your county has scheduled or already held its meeting, and it is not reflected on this map, please contact Grassroots Coordinator [Alissa Willett](#) at (919) 715-7654.

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## Bills of Interest

**Bill: H95**

**Sponsors:** Torbett (R108); Hall, L. (D29)

**Title:** STANDARD OF PROOF/PUBLIC SAFETY DISPATCHERS

**Position:** Support

**Comments:** This bill originally attempted to provide 911 or public safety telecommunicators or dispatchers with the same immunities as conferred on a sworn law enforcement officer for the performance of any lawful and prescribed actions associated with their assigned job duties. It was revised in committee to change the standard of protection to "clear and convincing evidence in a court of law." The committee deleted the two-year statute of limitations for someone to file a civil claim against a 911 or public safety telecommunicator resulting from an incident. It passed the House Committee on Judiciary Subcommittee A and is scheduled to be heard on Monday, March 11.

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**Bill: H200**

**Sponsors:** Brawley, W. (R103); Cotham (D100)

**Title:** REQUIRE CERTAIN GENERAL REAPPRAISALS

**Related:** 2013:SB159

**Comments:** This bill would require counties to reassess property if several conditions are met: the county has "independent, corroborating evidence that the majority of commercial neighborhoods in the county possess significant issues of inequity; the county has independent, corroborating evidence that, for residential neighborhoods, instances of inequity or erroneous data had a significant impact on the valuation of the neighborhood as a whole; The county's last general reappraisal was performed for the 2008 tax year, 2009 tax year, 2010 tax year, 2011 tax year, or 2012 tax year; (and) the independent, corroborating evidence resulted from a review performed by a qualified appraisal company selected and retained by the county and registered with the Department of Revenue and had a sample size of no less than 375 properties, the relevant characteristics of which were reviewed on location at the property." If a county reassesses property because all these conditions exist, then the county would have to backdate the new property values to the date of the last reassessment. Homeowners whose homes were overvalued would be eligible for a refund of the overpaid property taxes, plus interest. Homes that were undervalued would face paying additional taxes on the new value.

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**Bill: H238**

**Sponsors:** Cleveland (R14); Dockham (R80)

**Title:** MAINTAINING WATER & SEWER FISCAL HEALTH

**Related:** 2013:SB207

**Comments:** This bill would enable the Local Government Commission to take over financial management of a local water system if the system is struggling financially. If "for three consecutive fiscal years, the audited financial statements of the unit or public authority demonstrate that the unit or public authority meets any one of the following three criteria: (i) the enterprise system experienced negative working capital; (ii) the enterprise system experienced a quick ratio of less than 1.0; or (iii) the unit or public authority experienced a net loss of revenue in the enterprise system using the modified accrual budgetary basis of accounting" then the Commission will study the financial operations of the system. If the Commission determines that the financial stability of the unit or public authority is threatened and

that the administrative unit has not made changes in its operations after being warned by the Commissioner, then the Commission may assume control of the system. The Commission may notify the authority of its findings before the three fiscal years have passed.

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**Bill: H248**

**Sponsors:** Conrad (R74); Fulghum (R49); Cleveland (R14); Blust (R62)

**Title:** TAXPAYER DEBT INFORMATION ACT

**Comments:** This bill would require the Local Government Commission, upon approval of a request by a local government for a bond issue, to determine the likely interest rate that would apply to the loan amounts and the total amount of interest paid by the unit of government in paying off the debt. This information would then be included in the ballot language.

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**Bill: H254**

**Sponsors:** Glazier (D44); Lewis (R53); Szoka (R45); Lucas, M. (D42)

**Title:** ZONING CHANGES/NOTICE TO MILITARY BASES

**comments:** This bill would require counties and cities to give notice to the commander of a military base if the local government is adopting or modifying its zoning map or if it is proposing any changes to "proposed subdivisions, telecommunications towers, or windmills" on land within five miles of the perimeter boundary of the military base. The board of commissioners would have to "provide written notice of the proposed changes by certified mail or by any other means reasonably designed to provide actual notice to the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing." Any comments made by the military on the proposed changes would have to be taken into consideration by the county before it makes a final determination on the ordinance.

- Johanna Reese, Government Relations Director
- David F. Thompson, Executive Director



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