



North Carolina
Association of
County Commissioners

NCACC Legislative Goals Proposals Legislative Goals Conference

November 16-18, 2022

NCACC Core Values

The Association recognizes counties' critical partnership with the state of North Carolina and promotes strategies that enhance state and county collaboration, communication, and cooperation.

Counties are an integral part of a strong intergovernmental system, along with municipalities, school boards, the state, and the federal government. Cooperation and communication between all levels of government are essential in order to provide the best and most efficient services to citizens. Counties are the level of government closest to the people. The Association promotes strengthening of local decision-making to respond to local needs. Counties should be free to organize as appropriate for efficient and effective delivery of services. Flexibility of form, function and finance is critical. A proper balance of service responsibility and revenue generating authority is imperative.

Essential services should be financed through state or federal revenues to ensure statewide availability and consistency. State mandated services should be funded from state revenue sources; federally mandated services should be financed from federal revenue sources. Policy changes affecting counties should be preceded by fair and equitable negotiations. New initiatives should allow adequate lead time for implementation within the county budget schedule. The state should consider the resource limitations of counties when implementing new state and federal programs.

The Association will be proactive in providing information to the NC General Assembly, US Congress, and the public to assist in the passage of sound legislation beneficial to the administration of county government affairs and will oppose legislation injurious thereto.



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Agriculture

Chair: Jerol Kivett, Sampson County

Staff Liaison: William Glenn

Guiding Principles

- Agricultural land use decisions are best made at the local level and should rest with local governments to meet local needs.
- State policies should provide local options and tools for the preservation of farmland, if they serve the best interest of all counties.
- The agricultural programs of land grant universities in North Carolina should partner with public and private research, education, and outreach efforts to ensure the future of agriculture in North Carolina.
- Agricultural issues related to the environment transcend governmental boundaries and require close coordination of policy and action by federal, state, and local governments.
- Powers delegated to the counties for the protection of the public health are important for protecting the land and water resources that are vital for agricultural endeavors.
- The State should provide funds for any increased county responsibilities and shifts of state responsibilities to counties.
- Support state funding and staffing for agricultural research, Cooperative Extension services, and other agriculture-related efforts to support the largest economic driver in North Carolina.

Approved Proposals

AG-1: Support efforts to change grants and loan award criteria to more closely match the USDA Rural Development aid requirements.

AG-2: Support legislation to protect farming operations from frivolous nuisance lawsuits.

AG-3: Support regulations and economic policies that promote small family farms.



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Environment

Chair: Todd McNeil, Ashe County

Staff Liaison: William Glenn

Guiding Principles

- People have an inherent impact on the environment. Public policy must recognize the need to balance these human activities with protecting the environment.
- Environmental laws should be justified by sound science and information, and also be based on a clear rationale and purpose for regulatory change.
- The State and Federal governments should fully communicate and engage with local governments when developing administrative rules and policies affecting the environment. Thorough analyses of health, environmental, and fiscal risks should also be completed by the issuing entity.
- County governments should have an appropriate and reasonable amount of time to review and issue comments regarding State and Federal environmental policies and proposals.
- The State should provide as much flexibility and discretion to counties as possible for implementing and enforcing environmental policy; this includes enforcing and setting associated taxes or fees.

Approved Proposals

ENV-1: Seek legislation to provide additional resources for preventative storm damage maintenance, such as stream clearing, and increase recurring funding to the state's Coastal Storm Damage Mitigation Fund.

ENV-2: Seek legislation for clean water funds throughout the state and to hold chemical manufacturers producing emerging contaminants such as PFOA, PFOS, and other PFAS chemicals, and coal ash producers financially responsible for cleanup and mitigation of pollutants.

ENV-3: Support funding for a comprehensive approach to mitigate harmful and invasive species.

ENV-4: Support additional funding to assist local governments in managing recycling and solid waste including: scrap tires, manufactured homes, and electronics.

ENV-5: Support legislation amending NCGS §90A-53 to shorten the work experience in the field of environmental health practice necessary to receive a certificate as a Registered Environmental Health Specialists from two years to one year.



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General Government

Chair: Ann Keyes, Washington County

Staff Liaison: Amber Harris

Guiding Principles

- The State-County partnership is unique and critical to providing services to all county residents
- The State should seek input from counties while developing rules and regulations that impact counties, particularly concerning property rights.
- Local general-purpose governments are the building blocks for solving regional problems; regional approaches should be based on the need to strengthen and support local governments
- Intergovernmental agreements should be used where appropriate to attain efficient performance, as determined by local elected officials.
- Encourage public-private partnerships when in the best interest of the citizens.
- Reserve federal action for those areas where state and local governments are not adequate and where continuing national involvement is necessary, e.g. national defense, provided resources are made available by the national government.
- All local government institutions should be engaged in developing and coordinating services to meet the needs of citizens. Counties will strive to maintain and enhance these partnerships.
- Programs and formulas used to distribute funding for county needs should recognize that one size does not fit all and should take into account the differing needs and character of both urban and rural counties.

Approved Proposals

GG-1: Seek legislation, funding, and other efforts to expand digital infrastructure/broadband capability to the unserved and under-served areas and residents of the state.

GG-2: Seek legislation to grow North Carolina's statewide economy through state investments, including public infrastructure funding, competitive incentives, state economic development grant programs and coordinated efforts with county economic development services.

GG-3: Support increased state funding and additional funding streams for existing and new transportation construction and maintenance needs (including roads, rails, and multi-modal transportation, secondary roads and litter pickup), and support legislation to ensure that the Strategic Transportation Investments (STI) funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded.



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GG-4: Support legislation allowing public bodies to provide meeting notices by electronic means or notice through a newspaper with general circulation within the county.

GG-5: Support legislation allowing counties flexibility in holding remote board meetings, allowing contemporaneous, virtual public hearings, in order to expeditiously conduct county business during locally declared emergencies



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Health and Human Services

Chair: Allen Thomas, Hoke County

Staff Liaison: Amber Harris

Guiding Principles

- Health and human services programs should encourage equitable opportunity for health, social, and economic prosperity. Programs should provide intergenerational success and address long term social impacts on health to help individuals thrive.
- County regional and state collaboration are necessary to improve agency automation and simplify programs to streamline administration and improve client interaction.
- Block grant funds should not be earmarked, and the State should increase funding for mandated services as the cost to provide and demand for those services increases.
- As partners with the state in funding and delivering services, counties must be actively engaged in setting health and human services policy and program requirements.
- Health and human services programs should be adequately funded and targeted toward the most vulnerable county residents.
- The State should take the lead in financing, implementing, and maintaining statewide information systems, and should ensure compatibility with county systems
- Members of county human service agency boards and advisory committees should be appointed by the boards of county commissioners.
- The state should provide adequate funding and policy initiatives to support local health departments and public health services.

Approved Proposals

HHS-1: Seek additional funding and preserve block grant allocations to increase access to high quality childcare, early childhood education, child welfare services, adult protective services and guardianship, including:

- Women's and Children's Health Services Block Grant funding to local health departments for critical services like maternal health, child health and women's health services to address unfavorable infant mortality rates;
- Home & Community Care Block Grant; Senior Center General Purpose Funds; Social Services and Human Services Block Grants; TANF; and emergency childcare funding to ensure the safety and stability of our childcare system.

HHS-2: Seek legislation that restores State Funding of Accreditation of Local Health Departments.



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HHS-3: Support expansion of Medicaid as well as related funding and operational flexibility for counties to expand county workforce and necessary infrastructure.

HHS-4: Support Medicaid reimbursement for Community Paramedic services and transport services to mental health and substance abuse facilities.

HHS-5: Support legislation to increase the number of state funded county Veteran Services Officers to at least one per county.

HHS-6: Support legislation for hold harmless provisions and staggered payment plans to control/cap the liability to counties under the Medicaid and NCHC overpayment recoupment plan, which holds counties financially responsible for the erroneous issuance of Medicaid benefits and Medicaid claim payments resulting when the county DSS takes any action that requires payment of Medicaid claims for an ineligible individual.

HHS-7: Support legislation to expand the Good Samaritan protection of covered offenses in NCGS §90-96.2(c3) to include all opioid and drug offenses to encourage reporting of drug overdoses and reduce overdose deaths.

HHS-8: Support legislation that promotes opioid prevention initiatives.



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Justice and Public Safety

Chair: George Dunlap, Mecklenburg County

Staff Liaison: Adam Pridemore

Guiding Principles

- The statewide judicial system and public safety services, including effective ancillary services and programs, should be adequately funded, and staffed in order to provide an efficient environment for judicial and public safety processes, to instill public confidence and to protect our communities.
- Adjudication should be swift, in order to minimize overcrowding in county jails.
- Bonds should be reasonable, and effective pre-trial screening and population management efforts should be encouraged.
- Offenders should be held accountable to society and required to pay a proportionate share of the debt resulting from their offenses, including debt to counties, either through fees based on ability to pay and/or through community service.
- Effective prevention programs, alternatives to incarcerations and other related services should be supported in an effort to help reduce recidivism rates and lower county jail costs.

Approved Proposals

JPS-1: Seek legislation to increase the amount paid to county jails by the state to the full cost reimbursement for housing sentenced inmates.

JPS-2: Seek increased state funding for NC courts, including reinstating funding for specialty courts, and pretrial release programs as well as funding to support e-filings for 50Bs.

JPS-3: Support legislation that promotes recruitment and retention of both first responders and detention officers in jails, including but not limited to workforce development, pay scale adjustments and/ or studies, and appropriate levels of training and certification standards for these increasingly hard to staff positions.

JPS-4: Support legislation to streamline and expedite the state response to emergency recovery.

JPS-5: Support implementation, where practicable, of the recommendations of the North Carolina Task Force for Racial Equity in Criminal Justice (TREC), including:

- Policing reforms to address use of force, community oversight and law enforcement training on crisis intervention;
- Funding at the county level to expand access to diversion and restorative justice programs; and
- The reduction of fines, fees and costs in criminal court, noting that such fines, fees and costs disproportionately impact people of color and people of low income.



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JPS-6: Support legislation treating all misdemeanor charges uniformly by removing statutorily imposed compliance defenses to local ordinance violations.

JPS-7: Support efforts to provide greater flexibility to local governments in expenditures of 911 surcharge funds and ensure adequate funding for next-gen technology.



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Public Education

Chair: Tony Cozart, Granville County

Staff Liaison: Adam Pridemore

Guiding Principles

- State and county responsibility for public education should be clearly set in state policy and statute, and should recognize the following:
 - The impact of changing technologies on basic educational needs and the job market of the future.
 - The impact of any changes on the facility needs of local school systems.
 - The need for county commissioners to have the authority to make sure funds appropriated for school facility needs are used accordingly.
 - The challenges faced by counties in balancing changes in school populations with insufficient county revenues.
 - The need for county commissioners to have the authority to address extraordinary circumstances such as natural disasters, public health crises, and other emergencies.
- Taxing authority for local public education should be vested exclusively with boards of county commissioners.
- The State should define and support an adequate sound basic education for every student in all local school systems and should appropriate adequate operating revenue to fully fund its education initiatives.
- Effective classroom technologies and innovations should be available to all public schools and community colleges.
- North Carolina's community colleges are critical components of the state's integrated efforts to prepare youth and adults for constructive participation in a constantly changing economy.
- Early education is a critical component for student success in North Carolina's education system.

Approved Proposals

PE-1: Seek additional revenue sources to address statewide public school and community college capital needs and ensure methods used to distribute school capital funding considers the needs of both low-wealth and growing counties. Revisions to the Needs-Based Public School Capital Fund that will allow for more access to counties and allow for faster school construction to include allowing projects that have not previously been awarded a grant to commence and remain eligible for future grant application periods.

PE-2: Support legislation to provide exceptions to the K-3 class size mandate including but not limited to lack of school facility space and availability of qualified teachers.



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PE-3: Support legislation that promotes education attainment and career and college readiness by increasing funding for apprenticeship and internship programs, trade certification, and workforce development programs, as well as increased student support services in public schools.

PE-4: Support increased funding to aid counties in implementing school security measures.

PE-5: Support school calendar policy that promotes optimal student outcomes and best meets the needs of local communities.



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Tax and Finance

Chair: Terry Renegar, Davie County

Staff Liaison: Denise Canada

Guiding Principles

- The county revenue base should be broad, balanced, and not overly burdensome to any one group of taxpayers. Counties should have the authority to generate revenue from various sources while being responsive to economic conditions.
- The Association opposes the redistribution of existing revenues and efforts to divert fees or taxes currently allocated to the counties. Distribution of new tax sources should assess local needs, local funding efforts, and local funding capability.
- Any new or extended tax exemptions and exclusions should include a “sunset” date in their authorizing legislation. If statewide policy objectives result in local tax base reductions, the State should hold local governments harmless using State revenue sources.
- The State should not create unfunded mandates and should not shift State responsibilities to counties. Any restructuring of county responsibilities should include state funding to meet those responsibilities.
- Local revenue sources should be preserved and expanded; all local revenue sources available to any county should be authorized for all counties.

Approved Proposals

TF-1: Seek legislation that preserves existing local revenue by providing just compensation to counties for property acquired by the State and removed from the ad valorem tax base.

TF-2: Seek legislation which will repeal NCGS 105-275(45) which mandates that counties must exclude eighty percent (80%) of the appraised value of a solar energy electric system from property taxation. If repeal of NCGS 105-275(45) is not feasible, then seek legislation which will require that the State of North Carolina provide funding to any county which is forced to lose tax revenue due to NCGS 105-275(45) in an amount equal to the lost tax revenue to said county.

TF-3: Seek legislation allowing counties to include specific language on the sales tax referendum ballot designating how the proposed local sales tax levy will be spent.

TF-4: Seek legislation to give counties flexibility with use of occupancy taxes.