



Legislation Text

File #: 19-5301, **Version:** 1

Title:

Set Public Hearing on Assessment for Street Improvements - Hearthstone Subdivision

Summary

ACTION:

- 1) Accept a petition for a Special Assessment for Street Improvements in the Hearthstone Subdivision; and
- 2) Adopt a Preliminary Assessment Resolution setting a public hearing for May 21, 2019 at 6:30 p.m. to receive citizen input with respect to the Hearthstone Subdivision Preliminary Assessment Resolution

Staff Contact: David Goode, LUESA - Storm Water Services

Presentation: No

BACKGROUND/JUSTIFICATION:

Property owners in the Hearthstone Subdivision located in the unincorporated area of Mecklenburg County are requesting a Special Assessment for street improvements.

County governments in North Carolina are not responsible for constructing or maintaining roads. The North Carolina Department of Transportation (NCDOT) and incorporated cities and towns are responsible for street construction and maintenance. NCDOT only performs maintenance on streets built to their standards. The North Carolina General Statutes (N.C.G.S. 153A-205 and other provisions in Article 9 of Chapter 153A) do allow for county governments to make special assessments within unincorporated areas within the county for the costs of improving streets to bring them up to NCDOT standards, so the roads can be taken over for maintenance by NCDOT. In the typical special assessment, the costs of the street repairs are paid by the county at the time of the repairs and the County recovers the costs through an assessment applied to all properties along the street that is improved.

Property owners on Tatting Road, Bards Court and Carding Place in the Hearthstone Subdivision are requesting a Special Assessment to bring these streets up to NCDOT standards. The section of the subdivision where these roads are located was completed in 1983. NCDOT did not accept Bards Court, Carding Place and a portion of Tatting Road for maintenance at that time. In the interim, the streets have deteriorated. NCDOT currently has a contract to repave the remainder of the subdivision. NCDOT has agreed to do the necessary repairs to bring these roads up to the current standard, in exchange for payment in the amount of \$38,398.62. NCDOT has agreed to accept maintenance of these roads after the repairs have been made.

The benefited property owners on Bards Court, Carding Place and Tatting Road circulated a petition requesting a special assessment. All the property owners benefiting from the street repairs signed the petition (100% participation). Section 153A-205 requires a minimum 75% property owner participation. The property owners have requested that the special assessment have a 4% interest applied on all unpaid cost with 5 annual installments. The last assessment the County performed for street improvements was in 2010 and it used 4% as the interest rate for unpaid costs. The North Carolina General Statutes allow from 0 to 8% interest and up to 10 annual installments. The public hearing on the request for special assessment is required by North Carolina General Statute Section 153A-190 and will allow owners on the assessed roads to comment.

PROCUREMENT BACKGROUND:

N/A

POLICY IMPACT:

N/A

FISCAL IMPACT:

\$38,398.62 represents the amount that will be assessed to the property owners to reimburse the County for the cost of the street repairs.