



Legislation Text

File #: 19-5447, **Version:** 1

Title:

Public Hearing: Assessment for Street Improvements - Hearthstone Subdivision

Summary

ACTION:

- 1) Acknowledge receipt of certification that notice of the public hearing was mailed by first-class mail to all property owners in the Hearthstone Subdivision;
- 2) Open public hearing to receive comments with respect to the request for a special assessment for street improvements in the Hearthstone Subdivision;
- 3) Close the public hearing and adopt the Final Assessment Resolution for Street Improvements in the Hearthstone Subdivision

Staff Contact: David Goode, LUESA - Storm Water Services

Presentation: No

BACKGROUND/JUSTIFICATION:

General Statute 153A-190 requires a public hearing and approval of a resolution by the Board of County Commissioners for a special assessment for street improvements. On April 2, 2019, the Board of County Commissioners set this public hearing to receive comments with respect to the special assessment for street improvements in the Hearthstone Subdivision.

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 road maintenance can be assumed 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 standard. 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 make the necessary repairs to bring these roads up to an acceptable standard in exchange for payment in the amount of \$38,398.62. Thereafter, NCDOT will assume maintenance of these roads.

The petitioning property owners on Bards Court, Carding Place and Tatting Road circulated a petition requesting a special assessment. All the property owners benefitting 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.

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.