

**MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 6, 2002**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session with the Planning Board on May 6, 2002 at the Citizens Center, Commissioner's Room, Third Floor, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman
Beth H. Saine, Vice Chair
Thomas R. Anderson, PE
Larry S. Craig
David P. Choate

Planning Board Members Present:

Jerry Geymont, Chairman
Mike Baker, Vice Chairman
Dean Lutz, Secretary
Eddie Sigmon
Gerald Johnson
John Pagel

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Long, Clerk to the Board
Kelly Atkins, Director of BALD
Randy Hawkins, Zoning Administrator
Leon Harmon, Finance Director

Call to Order: Chairman Cochrane called the May 6, 2002 meeting of the Lincoln County Board of Commissioners to order and welcomed everyone present.

Adoption of Agenda: Chairman Cochrane presented the agenda for the Board's approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to adopt the agenda as presented.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARINGS

MAY 6, 2002

- 6:30 PM Call to Order
1. 6:31 PM Adoption of Agenda
 2. 6:32 PM Approval of Minutes
 - April 15, 2002
 - April 22, 2002
 3. 6:35 PM New Business/Advertised Public Hearings

PCUR #73 Milton Keener, applicant (Parcel ID #25389) The applicant is requesting to change a conditional use permit that was approved on Nov. 6, 2000, to accommodate a major subdivision with 75 single-family homes. The applicant is requesting the removal of a condition that all water lines and taps meet Lincoln County standards per the approval of the County Engineer. The 66.5-acre parcel is located on Asbury Church Road in Ironton Township.

PCUR #85 Mickey Jo Read, applicant (Parcel ID# 19882) The applicant is requesting a parallel conditional use rezoning to rezone approximately 4.5 acres of a 9.6-acre parcel from Residential Suburban (R-S) to Neighborhood Business (B-N) to accommodate an automobile sales lot. The property is located at 3421 Maiden Highway in Lincoln Township.

ZMA #414 Catawba Springs Land Co., applicant (Parcel ID #02383) The applicant is requesting to rezone a 150.9-acre parcel from Planned Residential (P-R) to Single-Family Residential (R-SF). The property is located on North Ingleside Farm Road in Catawba Springs Township.
 4. 7:15 PM Hazard Mitigation Planning Grant
Designation of Agent – Audrey Setzer
 5. 7:25 PM Keith Contract for Lincoln County Industrial Park – Barry Matherly
 6. 7:35 PM Hospital Board Appointment – Darrell Gettys
 7. 7:45 PM Older Americans Month Proclamation – Erma Deen Hoyle
 8. 7:50 PM Bids for East Lincoln Library Furnishings and Update on Library –

W. J. Waters, Jr.

9. 8:05 PM Resolution to Sell Surplus Personal Property – Leon Harmon
10. 8:10 PM Webbs Road Waterline Bids – Steve Gilbert
11. 8:20 PM Crouse Road Water Line Change Orders No. 1 & No. 3
12. 8:30 PM Resolution to Adopt a Minority Business Participation Outreach Plan – Steve Gilbert
13. 8:40 PM Feasibility of Water Connections with Hickory or Maiden – Commissioner Larry Craig
14. 8:50 PM Reimbursement Resolution for East Lincoln Library – Leon Harmon
15. 9:00 PM Retirement Reception Procedures – Commissioner Larry Craig
16. 9:15 PM Other Business

Adjourn

Approval of Minutes – April 15, 2002 and April 22, 2002: Chairman Cochrane presented the minutes of the April 15, 2002 and April 22, 2002 meetings for the Board's approval.

UPON MOTION by Commissioner Saine, the Board voted unanimously to approve the April 15, 2002 and April 22, 2002 minutes as presented.

New Business: Advertised Public Hearings: Chairman Cochrane announced that this was the date, Monday, May 6, 2002 and the time, which was advertised in the *Lincoln Times-News* on Friday, April 26, 2002 and Friday, May 3, 2002.

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, May 6, 2002, at 6:30 p.m. to consider the following zoning-related matters:

PCUR #73 Milton Keener, applicant (Parcel ID #25389) The applicant is requesting to change a conditional use permit that was approved on Nov. 6, 2000, to accommodate a major subdivision with 75 single-family homes. The applicant is requesting the removal of a condition that all water lines and taps meet Lincoln County standards per the approval of the County Engineer. The 66.5-acre parcel is located on Asbury Church Road in Ironton Township.

PCUR #85 Mickey Jo Read, applicant (Parcel ID# 19882) The applicant is requesting a parallel conditional use rezoning to rezone approximately 4.5 acres of a 9.6-acre parcel from Residential Suburban (R-S) to Neighborhood Business (B-N) to accommodate an automobile sales lot. The property is located at 3421 Maiden Highway in Lincoln Township.

ZMA #414 Catawba Springs Land Co., applicant (Parcel ID #02383) The applicant is requesting to rezone a 150.9-acre parcel from Planned Residential (P-R) to Single-Family Residential (R-SF). The property is located on North Ingleside Farm Road in Catawba Springs Township.

The public is invited to attend this meeting, which will be held in the Commissioners Room on the third floor of the Citizens Center, 115 W. Main Street, Lincoln, N.C. For more information, contact the Department of Building and Land Development at (704) 736-8440.

Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant: Having been sworn by the Clerk the following individuals presented information.

Randy Hawkins, Zoning Administrator, presented the following information concerning Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant.

The applicant is requesting to change a conditional use permit that was approved on Nov. 6, 2000, to accommodate a major subdivision with 75 single-family homes. The applicant is requesting the removal of a condition that all water lines and taps meet Lincoln County standards per the approval of the County Engineer. The subdivision will be served by a community well system, but this condition was imposed so it could be easily connected to the county's water system once a line is extended to the area.

The 66.5-acre parcel is located on Asbury Church Road in the Ironton Township. It is adjoined on the north, south, and west sides by properties that are zoned Transitional Residential (R-T) and on the east by property zoned Residential Single-Family (R-SF).

Commissioner Anderson asked how the State approved system varies from what the County would approve.

Randy Hawkins stated that one of the variations is that the State would not require the stub-outs for the fire hydrants.

Chairman Cochrane opened the Public Hearing on Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant.

Miles Wright stated that the problem with bringing the water system to county standards is that this is not and probably will never be a part of Lincoln County's water system. Heater Utilities will own and maintain the system. The wells have been drilled and there

is more than enough water to supply the needs of the subdivision. They have been approved by the state.

Being no additional speakers, Chairman Cochrane declared the Public Hearing on Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant, closed.

Parallel Conditional Use Rezoning No. 85 – Mickey Jo Read, applicant: Having been sworn by the Clerk, the following Randy Hawkins, Zoning Administrator, presented the following information concerning Parallel Conditional Use Rezoning No. 85 – Mickey Jo Read.

The applicant is requesting a parallel conditional use rezoning to rezone approximately 4.5 acres of a 9.6-acre parcel from Residential Suburban (R-S) to Neighborhood Business (B-N) to accommodate a Conditional Use Permit in the Neighborhood Business district. An auto sales lot requires the issuance of a Conditional Use Permit in the Neighborhood Business district.

This parcel is located at 3421 Maiden Hwy., Lincolnton. It is adjoined on all sides by property zoned Residential Suburban. There is a business just down the road on the other side of the road. Cecilia's Attic is zoned Residential, so it's a non-conforming use. The Lincoln County Land Use Plan identifies this area as a commercial and employment center.

The applicant plans to subdivide this property. There is a house on the 9.6 acre tract that he plans to renovate for his mother to live in. His business is currently located along Maiden Highway in the city jurisdiction.

James Read stated that his mother and he are in the business of selling insurance wrecked automobiles. The house has been sitting vacant for some time and is in a dilapidated state. They plan on remodeling the house and building a matching facility for the car sales lot. He stated that they will do their best to be an asset to the community. He stated that they simply broker insurance company's wrecked automobiles. He stated that they broker them just as they are. He stated that most of the vehicles will be in the building, but there will be an overflow from time to time where they will be sitting outside. He stated that he also has a 7-car transporter that will be stored inside. Mr. Read stated that he is entering the retail market.

Paul Haynes stated that he is a resident of 3241 Maiden Highway. He stated that he's heard pros and cons about this car lot and was decidedly against before Mr. Read and his mother came by his house this afternoon. He stated that Mr. Read gave a nice presentation and answered some concerns. Mr. Haynes stated that one of Buford Grigg's daughters husbands came by and said that there is no way that one of the daughters would sign. He stated that the land has not been secured and will not be able to be secured.

Richard Haynes stated that that he lives at 3305 Maiden Highway and his main concern is the size of the building. He stated that this type of building should be on an industrial

site instead of residential. He also voiced concerns that the owners did not make this application.

Brad Withers declined the opportunity to speak.

Charles Martin stated that he owns property at 3344 North 321, which is approximately 300 feet from the property in question. He stated that he knows development is coming and has it right beside his property, but has questions about the building. He asked if it will be fenced in, paved over, if there will be water run-off, lighting, how long will a car be able to sit on property before it's moved, and what will happen to the couple acres behind the building. He stated that he is against the request.

A. D. Shrum stated that he, his sister, and his dad own the land directly across from the property. He stated that he is against the request. Mr. Shrum stated that if this is an asset to the neighborhood, he doesn't think they need it.

There was a discussion about how notices were sent out and to whom they were sent.

Carl Martin stated that he lives at 3334 Maiden Highway. He stated that they do not need anymore traffic on that highway and this will add more traffic.

Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 41 – Catawba Springs Land Co, applicant.

The applicant is requesting to rezone a 150.9-acre parcel from Planned Residential (P-R) to Residential Single-Family (R-SF). This property was rezoned on Feb. 5, 2001, to allow a major subdivision with 346 homes, but it's been sold and the new owners plan to subdivide it into large lots for homes.

The property is located on North Ingleside Farm Road in the Catawba Springs Township. It is adjoined on the north and east by property zoned Transitional Residential (R-T), on the south by property zoned Residential Single-Family and on the west by property zoned Transitional Residential and Residential Single-Family.

Chairman Cochrane opened the Public Hearing concerning Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant.

Commissioner Anderson asked if there were any plans or drawings which commits the new owner to a specific project as to how the land would be used if it was zoned back to Residential Single-Family. He asked if there is an intention to hook onto the sewer line at Verdict Ridge.

Randy Hawkins stated that the original intent was to have wells and septic tanks, but he Subdivision Ordinance may require them to hook onto sewer. He stated that it's about ¾

of a mile from the closest water line, so the Subdivision Ordinance would not require the subdivision to connect to county water.

Commissioner Anderson stated that this is zoned Planned Residential right now He asked if it was rezoned back to Residential Single-Family and the new owner would decide to do otherwise than have large tracts with few homes on it, and were to sell 10-15 acre tracts, which could be subdivided further.

Randy Hawkins stated that conceivably under the changes to the Subdivision Ordinance, once whoever reached 50 lots, it would become a planned district at that point.

Commissioner Anderson what would happen it if were five different people.

Mr. Hawkins stated that the intent of the changes in the Ordinance would be to capture that, especially since it was once zoned Planned Residential.

Kelly Atkins stated that they could do a family subdivision and unintentionally circumvent the Ordinance. They could also do an exempt subdivision with ten acre tracts and create several tracts that way. He stated that if the language passes soon, there wouldn't be much of a concern of someone going in and circumventing.

Marcella Avery stated that in June of 2000 this property was brought before the Board to be rezoned. She stated that at that meeting, it was said that the growth would help keep taxes down and bring in money for the schools. Since that meeting, six new developments have sprung up within a four mile radius of this property and land is being cleared everyday for more. She stated that in July of 2000, the Board cut taxes from 61 ½ cent to 51 cent, but in July of 2001 raised it back to 62 cents. She asked what happened to all this money these developments are bringing down. Ms. Avery stated that the high school looks like a trailer park and Ingleside Farm Road is like a freeway. She asked the Board to do the right thing.

Being no additional speakers, Chairman Cochrane declared the Public Hearing on Zoning Map Amendment No. 414 – Catawba Springs Township, closed.

Chairman Cochrane called for a short recess.

Chairman Cochrane called the meeting back to order.

Hazard Mitigation Planning Grant – Designation of Agent – Audrey Setzer: Audrey Setzer, Special Projects Coordinator, presented the following information.

In June of 2001, the North Carolina General Assembly passed Senate Bill 300: An Act to Amend the Laws Regarding Emergency Management as recommended by Legislative Disaster Response and Recovery Commission. Among other provisions, the bill requires that local governments have an approved hazard mitigation plan in order to receive state public assistance funds.

An advisory committee is presently working towards the development of a Hazard Mitigation Plan for Lincoln County.

In February, Lincoln County submitted a Hazard Mitigation Planning Grant application for \$20,000 to the North Carolina Department of Emergency Management to develop a Hazard Mitigation Plan. Of the \$20,000 grant, \$15,000 is from FEMA and \$5,000 local match. Of that \$5,000, \$2,500 can be of local staff time contributions.

The grants are competitive and ranked on needs, population, and location as it applies to hazards. Lincoln County's application has been reviewed and determined to be a Pre Disaster Hazard Mitigation Plan by the N. C. Department of Emergency Management (DEM). The DEM is also recommending funding of Lincoln County's application to FEMA. The County must now submit a Pre Disaster Hazard Mitigation Plan application along with a Resolution of Designation of Applicant's Agent to FEMA.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Resolution.

**DESIGNATION OF APPLICANT'S AGENT
RESOLUTION**

BE IT RESOLVED BY Board of Commissioners of Lincoln County

THAT Stan Kiser, County Manager is hereby authorized to execute for and in behalf of Lincoln County a public entity established under the laws of the State of North Carolina, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President Disaster Relief Fund.

THAT Lincoln County, a public entity established under the laws of the State of North Carolina, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance and agreements printed on the reverse side hereof.

PASSED and approved this 6th day of May, 2002.

Jerry W. Cochrane, Chairman

Audrey Setzer also presented information from the NCDOT Enhancement Program Teleconference that she and Commissioner Anderson attended. NCDOT is asking for nominations for the NCDOT Enhancement Program. The deadline for submitting applications is June 28, 2002 with award of funds in January of 2003. County staff was asked to provide a list of possible projects. The projects are Ramsour's Site, East Lincoln Park, UDC Building, Madison's Furnace, Mountain Island Educational State Forest, and the Rail Corridor. Staff reviewed these sites and feels possible projects for this funding

cycle would be Ramsour's Mill Site, East Lincoln Park, and the UDC Building. Ms. Setzer asked for the Board's direction as to which project to consider.

Chairman Cochrane suggested that this item be on the agenda for the May 20, 2002 meeting.

Keith Contract for Lincoln County Industrial Park – Barry Matherly: Barry Matherly and Alan Lewis presented the Keith Contract for the Lincoln County Industrial Park. They reviewed changes from the previous contract.

Jeff Taylor, County Attorney, stated that this is virtually identical to the original contract and he has no reservations on it.

Hospital Board Appointment – Darrell Gettys: Darrell Gettys reported on the Hospital Board's makeup and representation of doctors on the Board. He stated that he appointed a Bylaws Committee, which came back with a finding that the makeup of the Board was fair and equitable. The Hospital Board also agreed with this.

He presented the nomination of Dr. William Beutel to serve on the LHS Board of Directors.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve Dr. William Beutel to serve on the LHS Board of Directors.

Commissioners Anderson and Craig complimented and thanked Darrell Gettys for his hard work.

Older Americans Month Proclamation: Erma Deen Hoyle asked for the Board's approval on the following Proclamation.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the Proclamation.

**OLDER AMERICANS MONTH
MAY 2002**

A PROCLAMATION

LINCOLN COUNTY BOARD OF COMMISSIONERS

WHEREAS, Lincoln County is joining the State and the Nation in declaring May as Older Americans Month 2002; and

WHEREAS, this year, Lincoln County will celebrate the valuable and inspirational contributions of its citizens age 60 and older, their families, and their caregivers; and

WHEREAS, the theme of Older Americans Month is “America: A Community for All Ages,” to recognize the national community in which we live – the multigenerational American family which is the strength of our Nation – and our families and communities as the foundation of our society; and

WHEREAS, older members of our families and communities provide us with the historical perspective and current role models who enable and inspire us to move forward and contribute to our Nation’s greatness and prosperity, as so many have done before; and

WHEREAS, May has traditionally been celebrated with tributes to older persons through ceremonies, events, fairs and other activities;

NOW THEREFORE, we the LINCOLN COUNTY BOARD OF COMMISSIONERS, do hereby proclaim May 2002, to be “OLDER AMERICANS MONTH” in Lincoln County, and urge all citizens of the County to pay special tribute to the older population, their families, friends and neighbors, as we celebrate “America: A Community for All Ages.”

Lincoln County Board of Commissioners
Jerry Cochrane, Chairman

May 6, 2002

Bids for East Lincoln Library Furnishings and Update on Library – W. J. Waters, Jr.: W. J. Waters stated that on April 23 the bids were opened for the furniture for the East Lincoln Library. The money to pay for the furnishings will be provided by a fundraising committee. He presented the following low bidders:

Interior Systems, Inc., (West End, NC):	Sections 1, 4, 5, 7 and 8 for \$30,595.00
Millers of Greenville (SC):	Sections 2 and 6 for \$8,922.00
CBA of Greenville (SC):	Section 3 for \$43,377.00

Mr. Waters also asked about issuing purchase orders or a letter of agreement.

Commissioner Anderson suggested using the purchase orders.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the 3 low bidders recommended by the Library Committee.

Mr. Waters stated that they are ordering the furnishings, but will not take delivery until much later in the year. He stated that they fundraising committee has \$104,888 in hand and \$164,089 pledged.

Resolution to Sell Surplus Personal Property – Leon Harmon: Leon Harmon presented the following Resolution to Sell Surplus Personal Property for the Board's approval.

UPON MOTION by Commissioner Choate, the Board voted unanimously to approve the Resolution to Sell Surplus Personal Property.

RESOLUTION

**TO SELL SURPLUS PERSONAL PROPERTY OF
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, Lincoln County government has numerous items of personal property that are no longer needed by Lincoln County offices, and

WHEREAS, North Carolina General Statute 160A-270 (b) provides an expeditious procedure for selling surplus personal property;

WHEREAS, the surplus property consists of vehicles, trucks, desks, furniture, computers, and other surplus items of personal property.

THEREFORE BE IT RESOLVED, that the County Manager and/or Finance Officer be authorized to sell, at public auction, surplus personal property of Lincoln County on Saturday, July 20, 2002 in the County parking lot on West Water Street in Lincolnton. The terms of the sale will be for cash to the highest bidder with Gilbert Auction Company conducting the sale.

Adopted this 6th day of May, 2002.

Jerry W. Cochrane, Chairman
Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

Webbs Road Waterline Bids – Steve Gilbert: Steve Gilbert, Director of Public Utilities, presented the following information concerning the Webbs Road waterline bids.

Bids were opened on April 24, 2002 for the Webbs Road Water Line Project. This project involves construction of a 12-inch water line from Tree Farm Road to Burton Lane. This will complete a much-needed loop in the water system and will greatly improve pressure and flows in the Sailview community and the surrounding area. Trans-State Construction Co. submitted the low bid of \$83,000, and the contract time is set at

50 calendar days. With the Board's approval of this bid and the construction contract signed, the line should be in service this summer.

The estimated cost for this line was \$234,000.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the low bid of \$83,000 by Trans-State Construction for the Webbs Road Water line.

Crouse Road Waterline Change Orders No. 1 & No. 2: Steve Gilbert presented information concerning the Crouse Road Water Line Change Orders.

Change Order No. 2 reflects changes required by the NC Department of Transportation to accommodate their proposed improvements to NC 150. The water line must be installed approximately six to eight feet deeper through the area of the improvements, and NCDOT requires that we use ductile iron pipe instead of PVC. The area under the future pavement must also be encased in a steel liner pipe. The additional cost for this work is \$49,183.00, and will require a time extension of 90 days.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve Change Order No. 2.

Change Order 1: Trans-State Construction Co. is currently extending an 8-inch water line along Crouse Road to the Lincoln County Landfill. The Public Works Department was requested to obtain a quote from the contractor to extend the water line approximately 5,010 feet from the landfill to the end of Crouse Road at Johnstown Road. John Avery has also requested quotes concerning additional desired water line extensions along Shoal Road and Crouse Road south to the County line and along the entire length of Yoder Road, running south from Crouse Road. These two line additions, which will make a public water supply available to the properties adjacent to the landfill, will allow the Solid Waste Department to reduce the amount of testing and monitoring required at the landfill. Trans-state presented a figure for Johnstown Road of \$65,521.50, Shoal Road of \$72,032.90, and Yoder Road of \$39,016.00.

John Avery, Director of Solid Waste, stated that as far as the landfill is concerned, the need is stronger on Shoal Road and Yoder Road, because contamination is less likely on Johnstown Road. There is no off-site contamination at this time.

UPON MOTION by Commissioner Choate, the Board voted unanimously to accept the Change Order for Shoal Road and Yoder Road.

UPON MOTION by Commissioner Craig, the Board voted unanimously to not accept the Change Order for Johnstown Road at this point.

Resolution to Adopt a Minority Business Participation Outreach Plan – Steve Gilbert: Steve Gilbert presented the following Resolution for the Board's approval.

Commissioner Anderson stated that in with the second WHEREAS, wording should be changed to say either they intend or the intent, whichever is correct.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Resolution with the slight modification.

**RESOLUTION
LINCOLN COUNTY BOARD OF COMMISSIONERS
LINCOLN COUNTY, NC**

WHEREAS, Governmental Units encourage participation by Minority Businesses as defined in GS 143-128.2(g), equal access and opportunity to participate fully in all aspects of construction projects subject to the Minority Business Participation Outreach Plan, and

WHEREAS, Lincoln County has need for and the intend to enter into construction projects, and

WHEREAS, Lincoln County encourages all those associated with construction projects subject to the Minority Business Participation Outreach Plan to commit to these goals through good faith efforts,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY:

That it is the policy of Lincoln County to award public building contracts without regard to race, religion, color, creed, national origin, sex, age, or handicapping condition, as defined in G.S. 168A-3 [143-28.2(h)] and,

The Lincoln County Minority Business Participation Outreach Plan (MBPO) is developed to comply with State Law 2001-496 (Senate Bill 914, signed 19 December 2001, and effective 1 January 2002).

The plan has further been developed to assist Lincoln County in reaching its verifiable percentage goal of 10% minority business participation in all construction contracts, and

It is not the intent of the MBPO plan to require Lincoln County to take additional steps beyond those required by G.S. 143-128.2. Rather, it is the intent of the MBPO plan to establish the procedures that Lincoln County will use to comply with G.S. 143-128.2. The MBPO plan establishes the good faith efforts that Lincoln County will take to meet the plan objectives and accomplish the plan goal.

Adopted this the 6th day of May 2002 at Lincoln County, North Carolina.

Jerry W. Cochrane, Chairman

Feasibility of Water Connections with Hickory or Maiden – Commissioner Larry

Craig: Commissioner Craig stated that Maiden is going to connect with the Hickory water system sometime around March of next year. They have had to make a commitment to Hickory to take a certain amount of water. They have asked if the County would be interested in letting some people get together to see if there is any advantage or feasibility from them. He stated that he also ran into Recil Wright, who does consulting work for Hickory and Maiden. He stated that Mr. Wright thinks there is a possibility that the County could buy some time on extending the plant by buying water from Hickory. Then they system could possibly be separated.

Chairman Cochrane stated that he thinks it is better to dialog with the City of Lincolnton.

Commissioner Anderson stated that he thinks it is worthwhile to have exploratory conversation with the City of Maiden. He stated that it's at least worth hearing what they're offering.

Chairman Cochrane asked Steve Gilbert to contact the City of Maiden.

Chairman Cochrane asked Mr. Gilbert if he has talked with the City of Lincolnton.

Mr. Gilbert stated that he had a meeting with Lincolnton's representatives last week. They are working on getting the exact footage of the facilities in the ground.

Reimbursement Resolution for East Lincoln Library: Leon Harmon presented the following Resolution for the Board's approval.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Reimbursement Resolution for East Lincoln Library.

REIMBURSEMENT RESOLUTION

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LINCOLN, NORTH CAROLINA, (THE "ISSUER") DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, Lincoln County (the "Issuer") is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Issuer [has paid, beginning no earlier than March 6, 2002 and] will pay, on and after the date hereof, certain expenditures (the "Expenditures") in

connection with the construction of a new Library East Branch Project (the "Project"), as more fully described in Exhibit A attached hereto; and

WHEREAS, the Board of Commissioners for the County of Lincoln, North Carolina, (the "Board") has determined that those moneys [previously advanced no more than 60 days prior to the date hereof and] to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds for one or more issues of tax-exempt financing (the "Financing");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of the Installment Financing for the Expenditures with respect to the Project made on and after [March 6, 2002, which date is no more than 60 days prior to] the date hereof. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Financing.

Section 2. Each Expenditure [was and] will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case of the date of the Expenditure), (b) a cost of issuance with respect to the financing, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer as long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Installment Financing expected to be issued for the Project is \$700,000.

Section 4. The Issuer will make a reimbursement allocation which is a written allocation by the Issuer that evidences the Issuer's use of the proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimus amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 6th day of May, 2002.

Jerry W. Cochrane, Chairman
Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

EXHIBIT A

DESCRIPTION OF PROJECT

Capital Improvement Program - Construction of new branch library located in the eastern portion of Lincoln County, along with acquisition of equipment and furnishings necessary to provide a complete and furnished facility.

Retirement Reception Procedures: Commissioner Craig stated that there has never really been an established policy for retirements. He stated that he asked Amy Long and Audrey Setzer to work together and come up with a suggestions.

Stan Kiser mentioned employees like Cooperative Extension who are half paid by federal money.

Commissioner Craig stated that regardless of who pays their salary, they are basically employed by us.

Commissioner Craig mentioned that he likes Audrey's suggestion that when we have the Christmas/Appreciation Dinner, retirees can come back to that to get their plaque or whatever gift is decided. Awards received during the year could also be presented at this time.

Commissioner Craig suggested letting Amy Long and Audrey Setzer compile a policy from this.

Other Business: Commissioner Anderson mentioned that the Industrial Facilities and Pollution Control Authority has 7 members, whose terms all end May 30, 2002.

Stan Kiser presented the Pool and Billiard Ordinance for information. He stated that this policy was made in 1971 and probably needs substantial changes. Chairman Cochrane suggested turning it over to Building and Land Development to look into.

Mr. Kiser reminded the Board of the Economic Development Forum on May 7 in Hickory.

Mr. Kiser presented the Board with handouts from the Schools requesting additional allocation for capital outlay. He also presented handouts from the NCACC concerning the withholdings. This has a Resolution for the Commissioners to pass.

Chairman Cochrane asked for this to be on the next agenda.

Chairman Cochrane scheduled a work session for May 21 at 3:30 PM.

Chairman Cochrane mentioned the memo from Maggie Dollar concerning the problem of “eyesores” in communities.

Chairman Cochrane informed the Board of an Association of County Commissioners’ Meeting on May 29. This will be a legislative meeting and he plans on attending.

Adjourn: UPON MOTION by Commissioner Choate, the Board voted unanimously to adjourn the meeting.

Amy S. Long, Clerk
Board of Commissioners

Jerry W. Cochrane, Chairman
Board of Commissioners