

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 21, 2005

The Lincoln County Board of County Commissioners met in regular session on November 21, 2005 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:00 PM.

Commissioners Present:

Thomas R. Anderson, PE, Chairman
Carrol D. Mitchem, Vice Chairman
James Buddy Funderburk
Marie Moore
Alex E. Patton

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Atkins, Clerk to the Board
Delores Alfaro, Assistant Clerk to the Board
Kelly Atkins, Director of Building and Land Development
Randy Hawkins, Zoning Administrator
Candi Cornwell, Associate Zoning Administrator
Brad Dyer, Associate Planner
Leon Harmon, Director of Finance
Steve Gilbert, Director of Public Works

Call to Order: Chairman Anderson called the November 21, 2005, meeting of the Lincoln County Board of Commissioners to order.

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

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

AGENDA
LINCOLN COUNTY BOARD OF COMMISSIONERS
NOVEMBER 21, 2005

7:00 PM Call to Order

1. 7:05 PM Adoption of Agenda
2. 7:06 PM Consent Agenda
 - Sponsored Group Status
 - Benefit Gospel Singing for WPIR
 - Release of Letter of Credit #44
 - Approval of Minutes
 - o November 7, 2005
 - Tax Requests for Refunds – October 31 – November 6, 2005
 - Budget Adjustments. 33 – 36
 - 2006 Meeting Schedule
 - Appointment of Delores Alfaro as Assistant Clerk
3. 7:10 PM Public Comments
4. 7:25 PM Recommendations from Planning Board

ZMA #510 James Yarbrough, applicant
CUP #267 Alicia Carpenter, applicant
PCUR #123 Harbor Oaks of Lincoln, LLC
Soil Erosion and Sedimentation Control/Buffer Protection Ordinance
5. 8:00 PM Public Hearing – Road Name Change from Highview Lane to West Highview Lane
6. 8:10 PM Audit Report – Martin, Starnes & Associates, CPAs, P.A.
7. 8:25 PM Public Works Capital Project Reports – Steve Gilbert
8. 8:30 PM Finance Officer's Report
9. 8:35 PM County Manager's Report
10. 8:40 PM County Commissioners' Report
11. 8:45 PM County Attorney's Report
12. 8:50 PM Vacancies/Appointments
13. 8:55 PM Calendar
14. 9:00 PM Other Business
15. 9:05 PM Closed Session – Real Estate and Personnel Matter

Adjourn

Consent Agenda: UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the Consent Agenda.

- Sponsored Group Status
 - Benefit Gospel Singing for WPIR
- Release of Letter of Credit #44
- Approval of Minutes
 - November 7, 2005
- Tax Requests for Refunds – October 31 – November 6, 2005

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (October 31, 2005 – November 6, 2005)

G.S.#105-381(B) ALL REFUNDS ANNUAL MORE THAN \$100.00
(and) #105-325 including (A) (6)

| NAME | YEAR | DIST | A/C# | AMOUNT |
|-----------------|------|------|--------------|------------------|
| Gales, Sonya M. | 2005 | ELFD | 17368 | 761.29 |
| | | | TOTAL | \$ 761.26 |

- Budget Adjustments. 33 – 36
 - Budget Adjustment 33
Re: Bid price approved by the Commissioners for construction of next phase of landfill
 - Budget Adjustment 34
Re: Rental of 390C Trex compactor while ours is being repaired plus rental of a used 420D CAT backhoe
 - Budget Adjustment 35
Re: Engineering for Phase III of the landfill
 - Budget Adjustment 36
Re: Major expense & repairs to CAT equipment
- 2006 Meeting Schedule
- Appointment of Delores Alfaro as Assistant Clerk

Public Comments: Chairman Anderson advised that this was the time the Board of Commissioners would receive comments from the citizens regarding any matter they desired to address.

There were no public comments, and the session was closed.

Recommendations from the Planning Board: Randy Hawkins. Zoning Administrator presented the following recommendations from the Planning Board.

Zoning Map Amendment No. 510 – James Yarbrough, applicant: The Planning Board voted 5-0 to recommend approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to accept the Planning Board's recommendation on Zoning Map Amendment No. 510 – James Yarbrough, applicant.

Conditional Use Permit No. 267 – Alicia Carpenter, applicant: The Planning Board voted 5-0 to recommend approval. The Planning Board's recommended Findings of Fact are included in the Board's packets. No special conditions were recommended.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to accept the Planning Board's recommendation based on the Findings of Fact on Conditional Use Permit No. 267 – Alicia Carpenter, applicant.

Application # CUP 267

Date: 11/21/2005

Applicant's Name: Alicia Carpenter
1089 S. Grove St.
Lincolnton NC 28092

Property Location: Confederate Road
Existing Zoning: R-S

Proposed Conditional Use: Class C (singlewide) mobile home

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES ☒ NO ☐

Factual reason cited: Will not endanger the public health or safety, neighbor spoke in favor, consistent with zoning in area.

2. The use meets all required conditions and specifications. YES ☒ NO ☐

Factual reason cited: Zoning administrator's testimony.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES ☒ NO ☐

Factual reason cited: Staff's review with Lincolnton, (characteristics of) surrounding property.

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES ☒ NO ☐

Factual reason cited: Will be in conformity with Land Use Plan.

Parallel Conditional Use Rezoning No. 123 – Harbor Oaks of Lincoln, LLC - applicant: The Planning Board voted 5-0 to recommend approval with the following conditions:

1. The developer shall construct an emergency access road to meet NCDOT quality specifications from Campground Road to Pine Ridge Drive.
2. The developer shall extend the county water system to serve the development.
3. The developer shall provide the following road improvements: a left-turn lane with 75 feet of storage on Pine Ridge Drive at the entrance to the development, and a right-turn lane with 75 feet of storage on Campground Road at Pine Ridge Drive.
4. Any seawalls shall be built from the waterside only.

Randy Hawkins distributed copies of a “Traffic Impact Summary” and a “Proposed Response” to the Board. The Planning Board asked the developer to review the impact on that intersection. Based on figures shown in the summary, the applicant has agreed to contribute 15% of the cost of improvements. Jackie McSwain, NCDOT, suggested that the money be placed in a fund until such time as the improvements are made. The money would then be turned over to NCDOT.

The Planning Board also asked the developer to consider moving the lot lines near a creek that runs into the lake, providing more of a buffer. The developer has complied.

Commissioner Mitchem asked about the buffer on the lakefront property, and whether the previous development that was approved was required to provide the same.

Randy Hawkins stated that the developer would agree to a 75-foot undisturbed buffer on the lake according to the Zone 1 requirements of the Catawba River Buffer Rules. No grading or clearing would be allowed. Removal of smaller underbrush and trees less than 3” in diameter are the only exceptions. He stated that we would accept that as a condition. Randy presented the board members with a list of the proposed conditions.

Chairman Anderson asked Randy if Jackie McSwain, gave any indication as to what DOT’s plan are for (Hwy) 16 and Campground Road interchange. Randy stated that she did not, and that he did make her aware of this offer. Her recommendation was that the funds come to the county to be held until DOT has a project planned in that area.

Commissioner Mitchem asked about a buffer on the creeks. Randy stated that there was concern about a couple of lots near the lake where the lot lines were close to the creek. He stated that redrawing the lines allows more distance from the creek, as well as more common open space.

Commissioner Moore asked if there were any issues about the wetlands. One of the developer’s representatives stated that the wetlands are included in the common open space. Commissioner Moore then asked if Jackie McSwain indicated which of the road improvements would be the most important, if the developer was to make a road

improvement. He stated that it was not discussed, and that, in the report, DOT does not require any road improvements there. Randy stated that the Traffic Engineer (Amy Massey) was present if the Board had any questions for her. Commissioner Moore then asked her which would be the most needed traffic improvement. Ms. Massey stated that, relating to the impact of this development, it would be either extension of the southbound left turn lane on (Hwy) 16, or a left turn lane addition on Campground Road.

Chairman Anderson asked if there were any right-of-way issues associated with these. Ms. Massey stated that, not having available survey data, they've looked at the available GIS mapping, and it appears that the only problem would be a northbound right turn lane addition on (Hwy) 16. Chairman Anderson stated that, in regards to immediate relief, the developer has agreed to spend \$42,000 over a four-year period of time, but the problem exists now. He added that, although this is a good faith offer, it is contingent upon DOT. He made a counteroffer to the developer to provide \$35,000 immediately, offering quicker relief by accomplishing at least one of the four improvements.

The Chair recognized Tim Sellers, the developer's attorney, and Danny Fisher, the developer. Mr. Sellers stated that their goal, in trying to do this, was to deal with what appears to be a temporary situation that may arise from the impact of their development. He stated that the immediate need is completely unrelated to their development process, if approved, as there will be no traffic emanating from said development for quite some time. He stated that they tied the \$42,000 offer to the build-out, based on that, as they did with the school contribution. In other words, the contribution would be made as the burden appeared. He added that their situation is similar to the county's, with DOT. Chairman Anderson stated that perhaps the construction of the 125-foot right turn lane on NC 16 would be a greater gift to the county, and if \$35,000 will get it done, so be it. He indicated that he would like a commitment, even if the lane extended further than that. Ms. Massey stated that it appears that particular improvement may cause right-of-way issues. Chairman Anderson stated that he was aware of that, and asked what right-of-way issues it might cause. Ms. Massey stated that it appears that part of the parking lot is built within the right-of-way. Chairman Anderson stated that, in order to expedite this, he would like to get a commitment to escrow \$42,420.00. Tim Sellers stated that he wanted to place the funds in the county's possession, not knowing what road improvement DOT might choose to do, and thereby allowing the county to make that choice. Mr. Sellers stated that the county place the money in a fund, and DOT would make the decision regarding the improvement(s). The developer's intent was to make funds available, without any strings, consistent and commensurate with the impact of the build-out of the community on a temporary basis until (Hwy) 16 is relocated. DOT's involvement and approval of it coming out of an escrow account was not something the developer wanted to suggest or make a condition.

Chairman Anderson, trying to clarify what their intent was, stated that if they escrowed \$42,400.00 over the next four years, and the county could, upon receiving those funds at the end of that time, if it chose, negotiate with DOT to complete one of these improvements, without necessarily allowing the money to be parceled out to all four improvements. He asked if they were tying that to their contribution. Tim Sellers stated that they were not. He stated that it was their perspective that the county may have a

different view as priorities change, with these funds being available, but not tied to any particular use. Chairman Anderson asked them to pay the contribution in full by December 15, 2006.

Commissioner Mitchem suggested that the discussion move ahead. He continued by asking about the emergency access road. Randy Hawkins stated that the developer has agreed to construct a gated two-lane paved emergency access road, to be used only by EMS and the fire department in times of emergency. Commissioner Mitchem asked if he felt that was adequate for the people who will be living in that community. Mr. Hawkins stated that it will certainly provide better access than they currently have when the train blocks the road. Chairman Anderson stated that they are going to advise Emergency Management personnel in an attempt to persuade the railroad company not to block that road when a train is stopped.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the rezoning of the property from R-SF and R-T to CU P-R for Parallel Conditional Use Request No.123 – Harbor Oaks of Lincoln, LLC, applicant.

UPON MOTION by Commissioner Patton, the Board voted unanimously to accept the Planning Board's Findings of Fact on Parallel Conditional Use Request No.123 – Harbor Oaks of Lincoln, LLC, applicant.

Application # PCUR 123

Date: 11/21/2005

Applicant's Name: Harbor Oaks of Lincoln LLC
614 N. Main St.
Salisbury NC 28144

Property Location: Pine Ridge Drive, Little Creek Drive
Existing Zoning: R-SF, R-T

Proposed Conditional Use: Subdivision with 105 lots for single-family homes

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES ☒ NO ☐

Factual reason cited: Will not endanger the public health or safety.

2. The use meets all required conditions and specifications. YES ☒ NO ☐

Factual reason cited: Testimony at public hearing.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES ☒ NO ☐

Factual reason cited: Will not harm the value.

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.
YES X NO

Factual reason cited: Zoning Administrator's testimony.

UPON MOTION by Commissioner Moore, the Board voted unanimously to accept the Planning Board's four recommended conditions applied to Parallel Conditional Use Request No.123 – Harbor Oaks of Lincoln, LLC, applicant.

Planning Board's Recommended Conditions:

1. The developer shall construct an emergency access road to meet NCDOT quality specifications from Campground Road to Pine Ridge Drive.
2. The developer shall extend the county water system to serve the development.
3. The developer shall provide the following road improvements: a left-turn lane with 75-feet of storage on Pine Ridge Drive at the entrance to the development, and a right-turn lane with 75'feet of storage on Campground Road at Pine Ridge Drive.
4. Any seawalls shall be built from the waterside only.

The Board chose to vote separately on two additional conditions.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the condition applied to Parallel Conditional Use Request No.123 – Harbor Oaks of Lincoln, LLC, applicant.

5. That the waterfront lots have a 75-foot buffer on the lake, undisturbed according to the Zone 1 requirements of the Catawba River Riparian Buffer Rules.

UPON MOTION by Commissioner Patton, and **in lieu of the offered condition** "That the developer contribute \$42,420 to be earmarked for road improvements at the Hwy 16/Campground Road intersection, to be paid in four equal and annual installments beginning December 15, 2006, and held by the county in an account until NCDOT has a project in that area," the Board voted unanimously to approve the following condition.

6. That a contribution of \$35,000 be made by the applicant for Hwy 16 road improvements the county deems most necessary, payable no later than the end of 2006, for Parallel Conditional Use Request No.123 – Harbor Oaks of Lincoln, LLC, applicant.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to accept the conditions and rezoning of Parallel Conditional Use No.123 – Harbor Oaks of Lincoln, LLC, applicant.

Application # PCUR 123

Date 10/21/2005

Applicant's Name Harbor Oaks of Lincoln, LLC

Property location: Pine Ridge Drive, Denver

Existing Zoning: B-G, R-T

Proposed Conditional Use Subdivision with 105 lots for single-family homes

Soil Erosion and Sedimentation Control/Buffer Protection Ordinance:

Brad Dyer informed the Board that the Planning Board voted 5-0, with an unfavorable recommendation. On November 14, Building and Land Development received a phone call from Gray Hauser, NCDENR, Division of Land Quality, Raleigh, expressing concerns about the proposed ordinance. Brad deferred to Jeff Taylor, County Attorney.

Jeff Taylor stated that when staff initially asked him what potential problems could be in developing this ordinance, he stated that it would be the argument of preemption. Preemption is a constitutional law doctrine which states that a lower government cannot regulate an area that a higher government regulates (i.e., county/state; state/federal). He made several fundamental assumptions: 1) Chapter 113A on Water Quality has a statute that states "the counties and the state shall have concurrent jurisdiction over this area," which seemed sufficient authority for staff to proceed with the ordinance; 2) There would be no opposition from the state on this; 3) There were no state regulations on land disturbing activity under an acre. The state is indicating that it will oppose this ordinance, based on preemption. The state indicated that it does have some regulations that apply to land disturbing activity on less than one-acre. The concurrent jurisdiction issue, the third assumption, has been called into question by a court decision that occurred during the process of developing this ordinance. There are rules and regulations that address issues between state and county government. The NC Court of Appeals has ruled that the state has authority, unless specific authority has been delegated to the county. There are several exceptions, but this is not one of them. Mr. Taylor indicated that he had spoken to several sources lately, including staff members at the Institute of Government and NCACC. Mr. Taylor stated that the NC Association of County Commissioners got involved in the above noted case in Granville County, concerning . He also attempted to contact the Deputy Attorney General who advises DENR on these issues. He advised the Board to defer action on this tonight, and allow him to report to them, hopefully, by the next meeting with a final recommendation on this.

Chairman Anderson opened the floor for a motion to refer the ordinance back to the committee, pending resolution of legal issues, and that it not be returned until such time as the legal issues have been resolved.

Commissioner Moore made the motion to refer the ordinance back to the committee until the legal issues are resolved.

Commissioner Mitchem questioned why it took the state so long to dispute the ordinance, after nearly a year in the making. Brad Dyer responded that the state had been aware of the ordinance since August 2004. Jeff Taylor noted that Jim Blackburn, General Counsel to the NCACC, suggested that it may have only recently reached the politically sensitive people at DENR.

Commissioner Mitchem suggested adding a time table, specifically 60 days, to the motion, pending resolution of legal issues. Jeff Taylor stated that the Attorney General will have to address the issue of preemption. If the state objects to the issue of preemption, the ordinance will become null and void. Commissioner Mitchem stated that this needed to be resolved as soon as possible.

Commissioner Moore amended her motion to refer the ordinance back to the committee until the legal issues are resolved, with a 60-day limit.

Chairman Anderson stated that Commissioner Mitchem's concern is that the Board receive a report within 60 days as to whether this is viable. Jeff Taylor stated that he could have that information by the next meeting. Upon learning that the county attorney could acquire the information (specifically regarding preemption and enforcement in a selected portion of the county rather than the entire county) in a shorter period of time, Commissioner Mitchem retracted the 60-day limit, and suggested a 30-day limit.

UPON MOTION by Commissioner Moore, the Board unanimously voted to table the ordinance for 30 days, subject to the Board receiving an updated report as to whether or not the ordinance is viable.

Public Hearing – Road Name Change from Highview Lane to West Highview Lane:

April Nunn presented to the request to the Board. She referred to two roads with identical names: Highview Lane, south of Lincolnton, and Highview Lane, in Denver Shores Campground, near the lake. She noted that the request came about due to a 911 call received from a cell phone, noting that you cannot determine what part of the county those calls originate from. The Addressing Review Committee met and decided that the simplest solution would be to rename Highview Lane, south of Lincolnton. If the Board approves the request, they will mail letters to the property owners, notifying them of the change, in addition to preparing door tags (similar to what they did with Lincoln View Subdivision, which worked well).

The Chair entertained the motion to approve the road name change.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the road name change from Highview Lane to West Highview Lane.

Audit Report – Martin, Starnes & Associates, CPAs, P.A.: Leon Harmon, Finance Director, distributed PowerPoint handouts to the Board. Chris Costner, of Martin, Starnes & Associates, presented a PowerPoint of the 2004-2005 audit.

Commissioner Mitchem asked Chris for clarification when he announced that the county's fund balance actually increased the prior year, that the county withdrew no money from the fund balance, and actually added 3.3 million dollars. Chris stated that was correct information.

Public Works Capital Project Reports: Steve Gilbert presented the Public Works Capital Project Reports.

Finance Officer's Report: Leon Harmon, Finance Officer, presented the budget performance report through October 2005.

Leon Harmon stated that he received a proposal from Express Mail to provide pre-sort mail operations for the county. The mail would continue to be run as it is now, but on a pre-sort rate rather than a first-class rate. Even so, it would still be first class, but money will be saved. The U.S.P.S. pays Express Mail for each pre-sorted piece of mail, which cuts their sorting time and speeds delivery. He stated that he has spoken to several customers, and they are very satisfied with the arrangement, adding that, unless the Board objects, he would like to try this service.

UPON MOTION by Commissioner Moore, the Board voted unanimously to approve the County entering into an agreement with Express Mail to provide pre-sorting mail operations.

County Manager's Report: Stan Kiser presented the County Manager's Report.

County Commissioners' Report: Commissioner Moore asked Stan Kiser if he had received anything from Centralina regarding nominations for the Regional Excellence Award. He stated that he had, and had forwarded copies to Building and Land Development and Barry Matherly, Economic Development Association. Commissioner Patton stated that the Airport Authority met last Thursday. He was asked to make the Board aware that a road is being moved at the airport, and that it would be an excellent time to extend the water lines to the airport. Chairman Anderson stated that a similar request has been received from the EDA.

County Attorney's Report: Jeff Taylor, County Attorney, is working with the school board's attorney on the sales tax reimbursement. The school system has been acquiring land in its own name, but can no longer be reimbursed for sales tax on school construction projects. He advised Dr. Watson and the school attorney to initiate the transfer of the land back to the county to allow for that reimbursement. In regards to a pending lawsuit against the former Edwards Pipeline Company, now known as Bradford

Pipeline Company, they have recently paid a sum of slightly over \$203,000. Several months ago, the acquisition of John Gilbert's property on West Hwy. 27 was discussed. The parcel, approximately 40' x 40' with a 20' access easement, is being acquired for the purpose of a pump station. Steve Gilbert negotiated with him, and Mr. Gilbert agreed to sell it to the county for \$10,000. We need a motion from the Board to approve that acquisition for a price of \$10,000, subject to the condition that, if the county ceases to use it, it would be reacquired by Mr. Gilbert.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the acquisition of the property at a price of \$10,000, subject to the condition that, if the county ceases to use it, it will be reacquired by Mr. Gilbert.

Vacancies/Appointments: Commissioner Funderburk presented the following vacancies and appointments.

VACANCIES

Nursing and Adult Care Home Community Advisory Committee *3 Vacancies
Historical Properties Commission *1 Vacancy *2 Reappointments
Planning Board *2 At-Large Vacancies *3 Reappointments
Board of Adjustment *2 Vacancies
Regional F Aging Advisory Committee *2 Vacancies

APPOINTMENTS

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the following appointments:

Reappoint the following township positions on the Planning Board:

- Clyde Brown, North Brook
- Harold Howard Jr., Catawba Springs
- Darrell Harkey, Ironton

Appoint current Alternates to seats on the Board of Adjustment:

- Peter Browne
- Betty Setzer

Appoint as Alternates to the Board of Adjustment:

- Delaine Davis
- Alex Patton

Appoint to the Region F Aging Advisory Committee:

- Evelyn Gregory

Appoint as Alternate to the Region F Aging Advisory Committee:

- Betty Neal

Chairman Anderson instructed the Board to vote for 2 of the 4 applicants for the Planning Board's At-Large seat. Ballots were routed to the County Manager to be tallied.

Votes were tallied as follows: Larry Craig (3 votes); Connie Zmijewski (1 vote); George Arena (4 votes); Ken Hovis (2 votes).

Chairman Anderson stated that the results of the ballots are Larry Craig and George Arena being appointed to the Planning Board.

Calendar: None.

Other Business: None.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to go into Closed Session.

The Board came out of Closed Session. Commissioner Anderson stated that the Board took no action, with a vote in Open Session being required. He stated that instructions were given for further negotiations on some real estate matters, and the personnel matter was continued until the Board's next meeting.

Commissioner Funderburk made a motion to appoint Larry Craig and George Arena to the two at-large seats on the Planning Board upon review, to correct any errors with respect to the written vote.

Commissioner Mitchem made a substitute motion that the Board be allowed to vote on each individual rather than collectively.

The substitute motion carried unanimously.

LARRY CRAIG: VOTE: 4-1
AYES: ANDERSON, MITCHEM, FUNDERBURK, PATTON
NOES: MOORE

GEORGE ARENA: VOTE: 4-1
AYES: ANDERSON, FUNDERBURK, MOORE, PATTON
NOES: MITCHEM

Motion carried 4-1 on both individuals.

The County Attorney stated that the individual votes for the seats rendered the previous written ballots null and void.

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

Delores Alfaro, Assistant Clerk
Board of Commissioners

Thomas R. Anderson, PE, Chairman
Board of Commissioners