

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 20, 2004

The Lincoln County Board of County Commissioners met in regular session on September 20, 2004 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:20 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman
Thomas R. Anderson, PE, Vice Chairman
James "Buddy" Funderburk
Larry S. Craig
Carrol D. Mitchem

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Long, Clerk to the Board

Call to Order: Chairman Cochrane called the September 20, 2004 meeting of the Lincoln County Board of Commissioners to order and welcomed everyone present.

Adoption of Agenda: **UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to adopt the agenda adding Item 3a – Positions for DSS.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 20, 2004

	7:20 PM	Call to Order
1.	7:21 PM	Adoption of Agenda
2.	7:22 PM	Approval of Minutes - September 13, 2004
3.	7:25 PM	Consent Agenda - Budget Adjustments 16 – 21 - Sponsored Group Status - NC Symphony - Iglesia Bautista Hispana Harvest Time
4.	7:30 PM	Public Comments

5. 7:45 PM Planning Board Recommendations – Randy Hawkins
 - Conditional Use Permit No. 247 – John Miller, applicant
 - Conditional Use Permit No. 248 – Dean Rhoney, applicant
 - Conditional Use Permit No. 249 – David Smith, applicant
 - Parallel Conditional Use Rezoning No. 108 – Victory Development Group, Inc., applicant
 - Zoning Map Amendment No. 484 – Randy and Ann Herron, applicants
 - Zoning Text Amendment No. 485 – Lincoln County, applicant
 - Subdivision Ordinance Amendment No. 21 – Lincoln County, applicant
 - Subdivision Ordinance Amendment No. 22 – Lincoln County, applicant
6. 8:05 PM Employee Health Insurance Quotes Presentation – Audrey Setzer
7. 8:25 PM Piggyback for Roll-off Truck – John Avery
8. 8:30 PM Litter Sweep 2004 and Resolution Declaring October 2, 2004 as Lincoln Big Sweep Day – Erma Deen Hoyle
9. 8:35 PM Resolution Providing for the Issuance of \$17,000,000 General Obligation School Bonds, Series 2004 – Leon Harmon
10. 8:45 PM Voluntary Ag. District Annual Report – G.K. Davis, Chairman
11. 8:55 PM Proposal for Engineering Services for Lincoln County Industrial Park Outfall Sewer
12. 9:05 PM Public Works Capital Project Reports – Steve Gilbert
13. 9:10 PM Parks and Recreation Presentation – Erma Deen Hoyle
14. 9:30 PM Finance Officer's Report – Leon Harmon
15. 9:35 PM Vacancies
16. 9:40 PM Appointments
17. 9:45 PM Calendar
18. 9:50 PM County Manager's Report
19. 9:55 PM County Commissioners' Report
20. 10:00 PM County Attorney's Report

21. 10:05 PM Other Business

Adjourn

Approval of Minutes: **UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the September 13, 2004 minutes as presented.

Consent Agenda: **UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Consent Agenda as presented.

- Budget Adjustment No. 16 for Social Services to increase expenditure and revenue line items for second allocation received from FEMA for Emergency Food and Shelter program. No county funds involved.
- Budget Adjustment No. 17 to encumber funds for camera system at the water plant.
- Budget Adjustment No. 18 for an encumbrance for a Tax Department invoice.
- Budget Adjustment No. 19 to carry over Elections accessibility grant funds.
- Budget Adjustment No. 20 to carry over recreation funds in General Fund and CIP per request.
- Budget Adjustment No. 21 for Medicaid Max carry over from FY 2003/2004

Sponsored Group Status

- North Carolina Symphony
- Iglesia Bautista Hispana Harvest Time

Positions for DSS: Lynn Scruggs asked the Board to establish 3 new positions for Child Protective Services. \$158,271 in grant money has been received from the state and will be recurring money. The money will cover salaries, benefit, and administrative costs.

UPON MOTION by Commissioner Craig, the Board voted unanimously to establish 3 additional positions for Child Protective Service Agents using the money from the State to totally fund these positions.

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

Being no one wishing to speak, Chairman Cochrane declared the public comments section closed.

Planning Board Recommendations: Randy Hawkins presented the following recommendations of the Planning Board.

Conditional Use Permit No. 247 – John Miller, applicant: The Planning Board voted 4 – 0 to recommend approval.

Application # CUP #247

Date 09/20/04

Applicant's Name John Miller
 2361 Ben Yount Lane
 Vale, NC 28168

Property location: Reepsville Road
Existing Zoning: R-S

Proposed Conditional Use Class B (doublewide) 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 Reasons Cited: Home to be located on 13-acre tract.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Will meet conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Based on proposed location.
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 Reasons Cited: One home on 13 acres.

After having held a public hearing on September 13, 2004 and in light of the Findings of Fact listed herein, the following action was taken by the Lincoln County Planning Board: voted 4 – 0 to recommend approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve Conditional Use Permit No. 247 and accept the Planning Board's Findings of Fact.

Conditional Use Permit No. 248 – Dean Rhoney, applicant: The Planning Board voted 5 – 0 to recommend approval.

Application # CUP #248 Date 09/20/04

Applicant's Name Dean Rhoney
 2315 Overland Lane
 Vale, NC 28168

Property location: 9225 N. Hwy. 10
Existing Zoning: B-N

Proposed Conditional Use Auto sales lot

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Will not be a health or safety issue
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Meets all required conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Will not injure the value of adjoining 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 Reasons Cited: In harmony with area and neighbors.

After having held a public hearing on September 13, 2004 and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board: voted 5 – 0 to recommend approval.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to accept the Planning Board's recommendation and findings of fact for Conditional Use Permit No. 248, Dean Rhoney, applicant.

Conditional Use Permit No. 249 – David Smith, applicant: The Planning Board voted 5 – 0 to recommend approval.

Application # CUP #249 Date 09/20/04

Applicant's Name David Smith
5472 Ruby Lane
Iron Station, NC 28080

Property location: Old Homestead Lane
Existing Zoning: R-SF

Proposed Conditional Use Private residential storage building

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Will be in harmony with area and in keeping with Community.

2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Based on square footage requirements and location at rear of lot.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Will not injure the value of adjoining 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 Reasons Cited: Will be in harmony and conformity.

After having held a public hearing on September 13, 2004 and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board: voted 5 – 0 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to accept the Planning Board's recommendation and findings of fact for Conditional Use Permit No. 249, David Smith, applicant.

Zoning Map Amendment No. 484 – Randy and Ann Herron, applicants: The Planning Board voted 5 – 0 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Zoning Map Amendment No. 484 – Randy and Ann Herron, applicants.

Parallel Conditional Use Rezoning No. 108 – Victory Development Group, applicant: The Planning Board voted 5 – 0 to recommend approval with the revisions and conditions agreed upon by the developer and neighbors, including that the proposed restrictions be included in the subdivision's restrictions and that the county not be responsible for enforcement of these restrictions.

Randy Hawkins also presented the following additional conditions for the subdivision, which were not included in the Planning Board's recommendation.

1 – This subdivision is located in the WS IV Critical Lake Norman watershed district and is restricted to two dwelling units per acre. Since the proposed subdivision lies within close proximity to the Lincoln County water intake, the following additional conditions shall apply:

- The maximum allowable built upon area per lot (for all structures) shall not exceed 20% impervious coverage. All other impervious coverage shall be limited to 2000 sq. ft. (including driveways, patios, walkways, (including gravel) and anything the Watershed Administrator deems impervious. These computations of the impervious area are to be

computed by the owner/developer/contractor/surveyor at the time of the building permit application. This shall be a permit-by-permit computation. The owner/developer whose calculation(s) exceeds the prescribed allowable coverage may: (1) Apply for a minor variance to the Board of Adjustment; (2) Appeal the Watershed Administrator's decision to the Board of Adjustment.

- The Vegetative Buffer shall be extended from 50' to 75' from the 760 (full pond) and shall follow existing regulations for buffer area (per the Lincoln County Watershed Ordinance.) The following lots are exempt from the 75' buffer rules and shall follow the 50' buffer rules: Lots 9, 10, 13, 14, 15, 16, 89, 90, 91, 92, 93, 95.

Greg Duncan, applicant, stated that he feels the 50' buffer is sufficient to control runoff. He will also put in a rain garden for erosion control. He stated that he has made the lots bigger and changed the buffer zones. He stated that the additional condition eliminates where a house can be placed on the lot.

Michael Jones stated that the county is now having to react due to the explosion of growth. He stated that the difference in the 50' buffer and the 75' buffer is that the extra footage will slow down water runoff and catch more sediment.

Application # PCUR #108 Date 09/20/04

Applicant's Name Victory Development Group, Inc.
 224 Highland Forest Drive
 Charlotte, NC 28207

Property location: Webbs Road and Cindy Lane
Existing Zoning: R-SF

Proposed Conditional Use Major subdivision with 97 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 Reasons Cited: Will not endanger the public health or safety.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Does meet all requirements and specifications, according to staff.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Will probably raise value of adjoining 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 X NO

Factual Reasons Cited: Will be in conformity with Land Use Plan.

After having held a public hearing on September 13, 2004 and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board: voted 5 – 0 to recommend approval with the revisions and conditions agreed upon by the developer and neighbors, including that the proposed restrictions be included in the subdivision's restrictions and that the county not be responsible for enforcement of those restrictions.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to grant the rezoning for Parallel Conditional Use Rezoning No. 108 – Victory Development Group, Inc., applicant.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to accept Parallel Conditional Use Permit No. 108 with the Planning Board's Findings and Conditions as follows:

- 1) The development shall adhere to the revisions and conditions agreed upon by the developer and neighbors (see attachment), including that the proposed restrictions be included in the subdivision's restrictions and that the county not be responsible for enforcement of those restrictions.
- 2) The development shall adhere to additional conditions concerning impervious coverage and vegetative buffer on the lake (see attachment).
- 3) Seawalls shall be built from the waterside only.

The Planning Board voted 5 – 0 to table Zoning Text Amendment #485, Subdivision Ordinance Amendment No. 21, and Subdivision Ordinance Amendment No. 22 for one month for further study.

Employee Health Insurance Quotes: Audrey Setzer, Personnel Director, stated that the County presently provides insurance benefit coverage for employees with Blue Cross Blue Shield of North Carolina with the North Carolina Association of County Commissioners as the administrator of the plan. The County's annual renewal date is January 1, 2005.

Over the past nine months, employees have expressed a concern of hardship on the \$1,000 deductible and diagnostic testing being subject to the deductible. An Insurance Review Committee was formed with employees from various County departments to review the current insurance plan, talk with employees to identify insurance issues, obtain, review, and compare insurance benefits/costs, and to bring a recommendation before the County Manager and Board of Commissioners.

Insurance quotes were requested from NCACC/Blue Cross Blue Shield, CIGNA, United Health Care, and AETNA. NCACC/BCBS has submitted proposals to provide the same level of coverage with options of a lower deductible, lower dental costs, and no deductible for diagnostic testing.

After consideration of employee concerns, benefit package and costs, the Insurance Review Committee recommends the following for consideration and approval:

1. Continue coverage with NCACC/BCBS
2. The deductible be set at \$750
3. The County absorb the cost increase for employees.

The proposed increase in premium for the medical coverage with the decreased deductible is \$130,812, dental coverage decreases by \$22,775 for a net increase of \$108,037. This is a 4% increase over our current cost. The current budget allowed for an estimated 10% increase in premiums. In addition, by staying with the County Commissioners' pool, there is an extra savings of \$22,092 by being in three insurance pools compared to a savings of \$14,728 by being in two pools.

UPON MOTION by Commissioner Craig, the Board voted unanimously to continue coverage with the NCACC/BCBS with a \$750 deductible and no deductible for diagnostic procedures with the county absorbing the additional costs.

Piggyback of Roll-off Truck: John Avery requested that the Board approve the piggyback method of purchasing a roll-off truck for \$105,869. This will be off the bid from Georgetown County, SC.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the piggyback purchase of a roll-off truck for \$105,869.

Litter Sweep 2004: Erma Deen Hoyle presented the Litter Sweep Proclamation and Resolution for Big Sweep.

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

LITTER SWEEP 2004

A PROCLAMATION

WHEREAS, the North Carolina Department of Transportation's Office of Beautification annually organizes a Fall roadside cleanup campaign to ensure clean roadsides throughout our State; and

WHEREAS, a Fall LITTER SWEEP campaign has been planned for September 18 - October 3, 2004, to clean our roadsides, help educate the public about the harmful effects of litter on the environment, and give every organization, business, government agency and individual the opportunity to take responsibility for cleaner roads in Lincoln County and North Carolina; and

WHEREAS, Adopt-A-Highway volunteers, community and civic organizations, inmates, community service workers, local governments, and many concerned citizens participate in these cleanups and may receive a Certificate of Appreciation for their hard work; and

WHEREAS, the natural beauty and a clean environment are a source of great pride for Lincoln County and North Carolina, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the 2004 Fall cleanup will improve the quality of life for all of Lincoln County and North Carolina and will help promote the North Carolina Adopt-A-Highway program;

Now, THEREFORE, the LINCOLN COUNTY BOARD OF COMMISSIONERS does hereby proclaim September 18 – October 3, 2004, as "**FALL LITTER SWEEP**" in Lincoln County, and urge all citizens to participate in keeping our roadsides clean and to reduce solid wastes.

**A RESOLUTION OF BOARD OF COMMISSIONERS
OF LINCOLN COUNTY
DECLARING SEPTEMBER 28, 2002 AS
LINCOLN COUNTY BIG SWEEP DAY**

WHEREAS, Lincoln County is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and,

WHEREAS, trash fouls our waterways as well as our landscapes; and,

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and,

WHEREAS, North Carolina's Big Sweep is a statewide community effort to retrieve trash from North Carolina's waterways and landscapes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of

Lincoln County, North Carolina, meeting on September 9, 2002, does hereby declare September 28, 2002 as LINCOLN COUNTY BIG SWEEP DAY in Lincoln County, and does further hereby urge every citizen to do his or her part to restore the beauty and function of our lakes and streams by volunteering to participate in the Big Sweep event.

In witness whereof I have hereunto set my hand and caused the seal of Lincoln County to be affixed.

_____, Chairman

ATTEST:

_____, Clerk SEAL

Resolution Providing for the Issuance of \$17,000,000 Bonds:

Commissioner Cochrane introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title and summarized by the Finance Director:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$17,000,000 GENERAL OBLIGATION SCHOOL BONDS, SERIES 2004

BE IT RESOLVED by the Board of Commissioners for the County of Lincoln:

Section 1. The Board of Commissioners has determined and does hereby find and declare:

(a) That an order authorizing not exceeding \$47,000,000 School Bonds was adopted by the Board of Commissioners for the County of Lincoln on March 1, 2004, which order was approved by the vote of a majority of the qualified voters of said County at a referendum duly called and held on May 4, 2004.

(b) That (i) none of said bonds has heretofore been issued, (ii) no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds, and (iii) it is necessary to issue \$17,000,000 of said bonds at this time.

(c) That the maximum period of usefulness of the improvements to be undertaken with the proceeds of said bonds to be issued is estimated as a period of not less than 30 years from October 1, 2004, the date of said bonds to be issued as hereinafter provided, and that such period expires on October 1, 2034.

Section 2. Pursuant to said order, there shall be issued bonds of the County of Lincoln, North Carolina (the "Issuer") in the aggregate principal amount of \$17,000,000, designated "General Obligation School Bonds, Series 2004" and dated October 1, 2004 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of prior redemption as hereinafter set forth) annually, June 1, \$725,000 2006 to 2020, inclusive, \$2,100,000 2021 and 2022 and \$1,925,000 2023, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "LGC") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on June 1, 2005 and semiannually thereafter on June 1 and December 1 of each year until payment of such principal sum.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate for each stated maturity of the Bonds, registered in the name of Cede & Co., the nominee of The Depository Trust Company, New York, New York ("DTC"), or such other name as may be requested by an authorized representative of DTC, will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at the office of the Bond Registrar mentioned hereinafter or such other place as the Issuer may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to

the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the Issuer determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book-entry system with DTC. If the Issuer identifies another qualified securities depository to replace DTC, the Issuer will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the Issuer may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners for the Issuer and the Clerk to said Board and the official seal or a facsimile of the official seal of the Issuer shall be impressed or printed, as the case may be, on the Bonds.

The certificate of the LGC to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of the LGC or any assistant designated by her and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the LGC whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. or any other name designated by an authorized representative of DTC and the endorsements thereon shall be in substantially the following forms:

No. R- \$.....

United States of America
State of North Carolina

COUNTY OF LINCOLN

GENERAL OBLIGATION SCHOOL BOND, SERIES 2004

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
June 1, 20__	...%

The County of Lincoln, North Carolina (the "Issuer"), a political subdivision of the State of North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of the Issuer (the "Bond Registrar"), Lincoln County Citizens Center, 115 West Main Street, Lincolnton, North Carolina 28092, the principal sum of

_____ THOUSAND DOLLARS

and to pay interest on such principal sum from the date hereof or from the June 1 or December 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a June 1 or December 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on June 1, 2005 and semiannually thereafter on June 1 and December 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of the Issuer. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the Issuer are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation School Bonds, Series 2004" (the "Bonds") and issued by the Issuer for the purpose of providing funds, together with any other available funds, for financing school facilities, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the Board of Commissioners for the Issuer, which order was approved by the vote of a majority of the qualified voters of the County of Lincoln who voted thereon at a referendum duly called and held, and a resolution duly passed by said Board (the "Resolution").

The Bonds maturing prior to June 1, 2015 are not subject to redemption prior to maturity. The Bonds maturing on June 1, 2015 and thereafter may be redeemed, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2014, at a redemption price equal to 100% of the principal amount of Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000; provided further, however, that, so long as a book-entry system with The Depository Trust Company, New York, New York ("DTC"), is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each DTC direct participant in the Bonds to be redeemed. If less than all of the Bonds shall be called for redemption, the maturities of the Bonds or portions of Bonds to be redeemed shall be determined by the Issuer.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a notice of such redemption to be filed with the Bond Registrar and given by certified or registered mail to Cede & Co. at its address appearing upon the registration books of the Issuer. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date

plus accrued interest to such date and, if moneys for payment of such redemption price and the accrued interest have been deposited by the Issuer as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Issuer, on or prior to the redemption date, of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such Bonds are not received by the Issuer on or prior to the redemption date, the redemption shall not be made and the Issuer shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, the Issuer will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his office the books of the Issuer for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the boundaries of the Issuer sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the Issuer, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the Issuer, by resolution duly passed by its Board of Commissioners, has caused this bond to be manually signed by the Chairman of said Board and the Clerk to said Board and its official seal to be impressed hereon, all as of the 1st day of October, 2004.

Chairman of the Board of
Commissioners

Clerk to the
Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Finance Director of the County of
Lincoln, North Carolina,
as Bond Registrar

By _____
Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints _____ attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds maturing prior to June 1, 2015 will not be subject to redemption prior to maturity. The Bonds maturing on June 1, 2015 and thereafter will be redeemable, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any

date not earlier than June 1, 2014, at a redemption price equal to 100% of the principal amount of Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000; provided further, however, that, so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each DTC direct participant in the Bonds to be redeemed. If less than all of the Bonds shall be called for redemption, the maturities of the Bonds or portions of Bonds to be redeemed shall be determined by the Issuer.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the Issuer, provided that such notice to Cede & Co. shall be given by certified or registered mail. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Issuer, on or prior to the redemption date, of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed and that if such moneys are not so received, such notice shall be of no force or effect and such Bonds shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such Bonds are not received by the Issuer on or prior to the redemption date, the redemption shall not be made and the Issuer shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the redemption price of the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, have been deposited by the Issuer to be held in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Issuer or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to Section 4 of this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and

effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Bonds. The Finance Director of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The Issuer covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Code, except to the extent that the Issuer obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Bonds being includable in gross income of the owners of the Bonds for purposes of federal income taxation.

Section 7. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the Issuer, commencing with the fiscal year ended June 30, 2004, to each nationally recognized municipal securities information repository ("NRMSIR") and to the state information depository for the State of North Carolina ("SID"), if any, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Issuer, commencing with the fiscal year ended June 30, 2004, to each NRMSIR, and to the SID, if any, (i)

the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the heading “The County - Debt Information and - Tax Information” (excluding information on underlying units) in the Official Statement relating to the Bonds and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board (“MSRB”), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) call of any of the Bonds for redemption;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of property securing repayment of the Bonds; and
- (11) rating changes; and

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to

comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by approving vote of the registered owners of not less than a majority in principal amount of the Bonds then outstanding pursuant to the terms of this bond resolution, as it may be amended from time to time.

The Issuer agrees that the annual financial information containing the amended operating data or financial information will explain, in narrative form, the reasons for the amendments and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section 8 shall terminate upon payment, or provision having been made for payment, in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. The action of the Finance Director of the Issuer in applying to the LGC to advertise and sell the Bonds is hereby ratified and confirmed, and the LGC is hereby requested to ask for sealed bids for the Bonds by distributing a notice of sale and a Preliminary Official Statement relating to the Bonds. Such Preliminary Official Statement, dated September 17, 2004 and in substantially the form presented at this meeting, is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Finance Director of the Issuer are each hereby authorized to approve the Official Statement, in substantially the form of the Preliminary Official Statement, including changes necessary to reflect the

interest rates on the Bonds, the offering prices of the Bonds and any credit enhancement for the Bonds purchased by the successful bidder, and to execute such Official Statement for and on behalf of the Issuer.

Section 9. This resolution shall take effect upon its passage.

Upon motion of Commissioner Anderson, seconded by Commissioner Craig, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$17,000,000 GENERAL OBLIGATION SCHOOL BONDS, SERIES 2004" was passed by the following vote:

Ayes: Cochrane, Anderson, Craig, Funderburk and Mitchem.

Noes: none.

Voluntary Ag. District: G.K. Davis gave an Annual Report from the Voluntary Ag. District Advisory Committee. There are 19 Ag. District, which cover 7,212 acres. Seventy-three participants have signed up 160 parcels of land. Ag. District participants are encouraged to post signs on their property.

Proposal for Engineering Services for Lincoln County Industrial Park Outfall

Sewer: Steve Gilbert presented a proposal for engineering services for Lincoln County Industrial Park Outfall Sewer.

WK Dickson is providing a proposal for engineering services for the proposed project to build an outfall sewer to serve the County's Industrial Park located off Finger Mill Road. The project will include a 12-inch gravity outfall from the existing sewage pumping station serving the industrial park. The new outfall will parallel Larkart Creek and Clark Creek to a discharge point adjacent to Clarks Creek Road where the new outfall will tie into the City of Lincolnton sewer system, a total distance of approximately 3.9-miles.

The following project budget was provided for the Board's consideration:

Probable Construction Cost	\$1,145,650
Engineering & Other Costs:	
Surveys & Mapping	27,700
Easement Mapping (15-plats)	11,250
Final Design	59,250
Environmental Report	25,200
Rights-of-Way Services (15-acquisitions)	12,075
Cost of Easements (Estimate)	18,000
Bidding & Contract Award	5,500
Construction Administration	<u>12,000</u>
Total Probably Project Cost:	\$1,316,625

UPON MOTION by Commissioner Anderson, the Board voted unanimously to accept the engineering proposal for the Lincoln County Industrial Park Outfall Sewer Line.

Chairman Cochrane called for a brief recess.
Chairman Cochrane called the meeting back to order.

Parks and Recreation Presentation: Erma Deen Hoyle gave a presentation on the history of the Lincolnton/Lincoln County Parks and Recreation. She outlined the city and county recreation facilities, staff, future growth and budget.

The Board discussed the possibility of including recreation needs in the Adequate Public Facilities Ordinance.

Commissioner Anderson asked Ms. Hoyle to look at the Martha Rivers Park to see what the park cost and what the PARTF share was.

Finance Officer's Report: Leon Harmon, Finance Officer, presented the budget performance report for August, 2004.

Vacancies: Commissioner Craig presented the following vacancies and appointments.

VACANCIES

Nursing and Adult Care Home Community Advisory Committee 4

Recreation Commission –	Union 1	
	Howards Creek	1
	Lincolnton	1
	Ironton	2

Library Board	
Lincolnton	1
Mountain Island Marine Commission	1

The following are Commissioner Craig's recommendations.

APPOINTMENTS

Nursing and Adult Care Home Advisory Committee

- Mary Lou Robinson
- Carla Goodson

Lincoln Natural Resources Committee

- Belinda Brasons

Lake Norman Marine Commission

- Mac Bynum

Historic Properties Commission

- John Lassiter

Carolina Land and Lakes RC&D
- Buddy Funderburk

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

Calendar: Chairman Cochrane pointed out the grand opening at Garcia on October 2 and the Regional EDA meeting on September 29.

County Manager's Report: Stan Kiser presented the County Manager's Report. He stated that in working with Courthouse security, one person should be in charge of keeping the keys for the Courthouse.

UPON MOTION by Commissioner Craig, the Board voted unanimously to designate the Clerk of Court to be in charge of the keys.

Commissioner Craig stated that he had Karen Leonhardt poll senior citizens at the Senior Center regarding their views on the Door to Door Sales Ordinance. They were in favor of such an ordinance.

Stan Kiser presented information from the city concerning their ordinance.

Stan Kiser presented information on a letter from Rutherford County concerning a request to the North Carolina Association of County Commissioners to adopt as a Legislative Goal a "Change in the Distribution of Cost for Special Assistance to Adults". He recommended the Board approve a Resolution endorsing this.

The Board instructed the County Attorney to draft a resolution supporting this.

County Commissioner's Report: Commissioner Mitchem stated that there is a meeting tomorrow night concerning radio communications in the county.

Chairman Cochrane read a letter from Marge and Ted Crunkleton thanking the Water Department for their hard work in repairing a water leak. Chairman Cochrane commended the Water Department and Jonathan Weathers, Utility Maintenance Worker, who was mentioned in the letter by name, for the job they do.

Other Business: Commissioner Craig commented on a letter from Danny Richard concerning Boger City United Methodist Church dumping debris from a burned house on a site the church has purchased. John Avery advised him that there is no charge for a church dumping debris such as this.

County Attorney's Report: Jeff Taylor, County Attorney, reported on foreclosures. He stated that collections continue to be a success.

Mr. Taylor reported that there have been 12 appeals to the Property Tax Commission in Raleigh concerning rulings from the Board of Equalization and Review.

Mr. Taylor stated that the Beatties Ford lease is signed and in place now.

Mr. Taylor stated that he has met with the City Attorney concerning ownership of the Pine Street Recreation Property. It was the Boards concurrence to get quit claim deeds from the City and School Board to show that the County has undisputed ownership of the property.

Mr. Taylor presented a letter from T.J. Wilson, who represents the City ABC Board. The ABC Board is asking the County to do away with the agreement in which the County gets a portion of sales. He stated that he will do some research on this and bring it back before the Board.

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

Amy S. Long, Clerk to the Board

Jerry W. Cochrane, Chairman