

The Lincoln County Board of County Commissioners met as the governing body of the East Lincoln County Water and Sewer District at the Citizens Center, Third Floor, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:15 p.m. on September 21, 1998. The following were present:

Louis E. McConnell, Chairman
James A. Hallman, Vice Chairman
Terry L. Brotherton
Larry S. Craig
Beth H. Saine

Jeff Taylor, Assistant County Attorney
Richard French, County Manager
Stan Kiser, Assistant County Manager

Also present were Doug Chapman, County Engineer, Jack Chandler, Director of Public Service, and Amy S. Long, Clerk to the Board.

CALL TO ORDER

Chairman McConnell called the September 21, 1998 meeting of the East Lincoln County Water and Sewer District Board to order.

ADOPTION OF AGENDA

Chairman McConnell presented the September 21, 1998 agenda of the East Lincoln County Water and Sewer District Board for adoption.

AGENDA

**EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
BOARD OF COUNTY COMMISSIONERS
GOVERNING BODY
LINCOLN COUNTY, NORTH CAROLINA**

SEPTEMBER 21, 1998

6:15 PM Call to Order

6:15 PM Adoption of Agenda

1. 6:15 PM Closed Session -- Legal
2. 6:30 PM District Update --Jack Chandler, Public Service Director
3. 6:40 PM Other Business

Adjourn

Commissioner Larry Craig motioned that the agenda of the September 21, 1998 East Lincoln County Water and Sewer District Board be adopted.

Seconded by Commissioner James Hallman.
Unanimously approved.

CLOSED SESSION -- LEGAL

A motion by Commissioner James Hallman to go into closed session for the purpose of discussing a legal matter, the legal matter being a discussion of options, including condemnation, for property in the East Lincoln County Water and Sewer District with the Assistant County Attorney.

Seconded by Commissioner Larry Craig.
Unanimously approved.

The Board returned to Open Session.

A motion by Commissioner Beth Saine to come out of closed session.

Seconded by Commissioner James Hallman.
Unanimously approved.

Chairman McConnell presented the following Resolution for the Board's approval.

NORTH CAROLINA LINCOLN COUNTY **RESOLUTION AUTHORIZING CONDEMNATION OF A SEWER EASEMENT ACROSS THE LANDS OF MAX GARRISON AND WIFE, MYRA H. GARRISON**

WHEREAS, the East Lincoln County Water & Sewer District has planned for needed public improvements and additions to its sewer lines for public use, and

WHEREAS, the plan provides for the sewer line to go over and across the lands of Max Garrison and wife, Myra H. Garrison, as shown on a plat hereto attached and marked EXHIBIT A, and

WHEREAS, the representatives of the East Lincoln County Water and Sewer District have been unable to negotiate a purchase price with the owner for said easement, and

WHEREAS, there is an immediate and urgent need to proceed with said project, and

WHEREAS, the Board of Commissioners of the East Lincoln County Water & Sewer District verily believe that it is in the public interest to proceed without delay to commence and file a condemnation action against the landowners to obtain the needed sewer easement to complete the project in accordance with the plans.

NOW, THEREFORE, BE IT AND IT IS RESOLVED by the Board of Commissioners of the East Lincoln County Water & Sewer District duly assembled as follows:

1. That the landowners be immediately notified as provided by law of the intent of the East Lincoln County Water & Sewer District to file its condemnation action.
2. That the County Attorney proceed to prepare a condemnation action to acquire the needed easement across the lands of the landowner.
3. That the Chairman of the East Lincoln County Water & Sewer District Board of Commissioners and/or the Lincoln County Manager are authorized to execute a complaint commencing the condemnation action.
4. That the County Attorney or his designee and the Lincoln County Manager are authorized to prosecute the action to acquire the needed easement to complete the project for a public purpose.

Done, this 21st day of September, 1998.

Amy S. Long
Clerk to the Board

A motion by Commissioner Terry Brotherton to approve the Resolution Authorizing Condemnation of a Sewer Easement Across the Lands of Max Garrison and Wife, Myra H. Garrison.

Seconded by Commissioner Beth Saine.
Unanimously approved.

DISTRICT UPDATE

Jack Chandler, Public Service Director, gave an update on the number of customers in the district. He stated that there are currently 616 customers who will receive a bill in October for their September sewage usage, and 412 applicants who have either paid in full or are making monthly payments on their connection fee, and have not connected to the system.

Rick French, County Manager, stated that the Board may want to extend the lower connection fees for sewer hookups to the end of the calendar year.

A motion by Commissioner Larry Craig to extend the lower sewer connection fee to December 31, 1998.

Seconded by Commissioner James Hallman.
Unanimously approved.

ADJOURN

Commissioner James Hallman made a motion to adjourn the East Lincoln County Water and Sewer meeting.

Seconded by Commissioner Larry Craig.
Unanimously approved.