

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JUNE 20, 2011**

The Lincoln County Board of County Commissioners met on June 20, 2011 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

**Commissioners Present:**

Alex Patton – Chairman  
George Arena – Vice Chairman  
James A. Klein  
Carrol D. Mitchem  
Carl E. Robinson, Jr.

**Others Present:**

George A. Wood, County Manager  
Martha W. Lide, Assistant County Manager  
Don Pendleton, County Attorney  
Amy S. Atkins, Clerk to the Board  
Randy Hawkins, Zoning Administrator  
Burns Whittaker, Public Work Director  
Leon Harmon, Finance Director

**Call to Order:** Chairman Patton called the June 20, 2011 meeting of the Lincoln County Board of Commissioners to order.

Chairman Patton gave the invocation and led in the Pledge of Allegiance.

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

**AGENDA**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

**JUNE 20, 2011**

6:30 PM Call to Order

Invocation – Rev. J.V. Allen, Boger City Wesleyan Church

Pledge of Allegiance

1. 6:32 PM Adoption of Agenda

2. 6:33 PM Consent Agenda

- Requests for Refunds - May 16 - 29, 2011

- Disposal of Surplus Property

- Waived fees: Sadies Songs for Life
- FY 2012 HCCBG Funding Plan
- Ordinance #2011-10: Budget Adjustments
- Piedmont Properties Agreement
- Revision of Policy on Disposal of Surplus Property

3. 6:35 PM Planning Board Recommendations - Randy Hawkins  
CUP #301 - Freeman Properties, LLC, applicant

4. 6:40 PM Motion to adopt Ordinance #2011-11: Budget Ordinance FY 2011-2012

5. 6:50 PM Public Comments

6. 7:05 PM Motion and Second to adopt Resolution #2011-37: Resolution Authorizing Issuance of Bonds - Leon Harmon

7. 7:35 PM Motion to Authorize Chairman and County Clerk to Execute Lease Agreement with Community Health Partners - Martha Lide

8. 7:45 PM Motion to Approve Contract with All Med for EMS Medical Supplies - Martha Lide

9. 7:55 PM Resolution #2011-38: Resolution Adopting a Credit Card Procedures Manual for Lincoln County, North Carolina - Leon Harmon

10. 8:05 PM Motion to Accept the Proposal of Tax Reduction Specialists to Conduct a Sales Tax Audit; and a review of telecommunications and utility invoices on a contingency basis as proposed by the Finance Director - Leon Harmon

11. 8:15 PM Motion to Adopt Resolution 2011- 39: A Resolution for the Appointment of the Tax Administrator for Lincoln County, North Carolina - George Wood

12. 8:25 PM Motion to Authorize Chairman and County Clerk to Execute Lease Agreement Renewals for Health Departments Home Health Division as recommended by the County Manager - George Wood

13. 8:35 PM Capital Project Report - Burns Whittaker

14. 8:40 PM Finance Officer's Report - Leon Harmon

15. 8:45 PM County Manager's Report - George Wood

- Gaston Lincoln Regional Library
- Meth Lab Expenses
- GFOA Certificate of Achievement for Excellence in Financial Reporting
- Bond Information
- Pre-Foreclosure/Foreclosure Procedures

16. 8:50 PM County Commissioners' Report

17. 8:55 PM County Attorney's Report
18. 9:00 PM Vacancies/Appointments
19. 9:05 PM Calendar
20. 9:10 PM Other Business
  - Register of Deeds Report
21. 9:15PM Closed Session - Pursuant to NCGS 143.318.1 (a)(6) and NCGS 143.318.1 (a)(5)

Adjourn

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

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

- Requests for Refunds - May 16 - 29, 2011
  - Disposal of Surplus Property
  - Waived fees: Sadies Songs for Life
  - FY 2012 HCCBG Funding Plan
  - Ordinance #2011-10: Budget Adjustments
  - Revision of Policy on Disposal of Surplus Property
  - Piedmont Properties

PERIOD COVERED (May 16, 2011-MAY 29, 2011)

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

NAME	YEAR	DIST	A/C#	AMOUNT	REASON
WINSTON, KELLEY R.	2008-10	DFD	36858	497.16	ADJUSTED VALUE
			TOTAL	<b>\$ 497.16</b>	

**ORDINANCE #2011-10: AN ORDINANCE AMENDING THE FY 2011 BUDGET  
FOR THE COUNTY OF LINCOLN, NORTH CAROLINA**

THAT WHEREAS, the Lincoln County Board of Commissioners adopted the FY 2011 Budget by approving Ordinance #2010-05 on June 21, 2010; and

WHEREAS, the Finance Director and County Manager are recommending further amendments as shown on the attachments herein; and

WHEREAS, the Lincoln County Board of Commissioners wishes to approve these proposed budget amendments;

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Board of Commissioners of Lincoln County, North Carolina, that the FY 2011 Budget previously adopted is hereby amended as follows:

Section 1. That the budget amendments attached hereto, and incorporated herein by reference as Exhibit A to Ordinance #2011-10, are hereby approved and adopted as amendments to the FY 2011 Budget.

Section 2. That this amendment to the budget shall become effective immediately upon its adoption by the Board of Commissioners.

Passed and adopted this 20th day of June, 2011.

BY:

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Alex E. Patton, Chairman  
Lincoln County Board of Commissioners

ATTEST:

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Amy S. Atkins  
Clerk to the Board

EXHIBIT A to Ordinance #2011-10  
Budget Adjustments numbered 200 through 209, inclusive.

**Planning Board Recommendation – Randy Hawkins:** Randy Hawkins presented the following information:

**Conditional Use Permit No. 301 – Freeman Properties, LLC, applicant:**

CUP #301 Freeman Properties, LLC, applicant (Parcel ID# 77948) A request for a conditional use permit to allow bulk storage of propane in the I-G (General Industrial) district. The 7.3-acre parcel is located at 6381 Denver Industrial Park Road, on the north

side of Denver Industrial Park Road about 1,800 feet north of Sinclair Street, in Catawba Springs Township.

The Planning Board voted 7-1 to recommend approval.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve CUP #301 – Freeman Properties, LLC, applicant as recommended by the Planning Board, with the Findings of Fact presented.

## **Motion to adopt Ordinance #2011-11: Budget Ordinance FY 2011-2012:**

**A MOTION** by Commissioner Klein to adopt Ordinance #2011-11: Budget Ordinance FY 2011-2012.

Chairman Patton presented a Power Point comparing salaries of Lincoln County employees and surrounding counties, tax rates of surrounding counties, and revaluation information from surrounding counties.

Commissioner Robinson stated that he felt like the budget process was outstanding. He commended Mr. Wood and his staff for their work with the budget.

Commissioner Mitchem said he felt like there was more that could be cut from the budget and he will be voting against it.

VOTE: 4 – 1                    FOR:            Patton, Arena, Robinson, Klein  
                                  AGAINST:    Mitchem

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

Rudy Bauer said he was mad citizens cannot put information on the screen. He asked the status of the CUP for Burton Creek.

Mark Cotter spoke concerning the Tax Department and asked for an overhaul.

Larry Turbyfill spoke concerning the budget and backflow prevention.

George Barr spoke concerning the appraisal process, saying it is flawed.

Robert Avery spoke concerning the need for a survey and the need for change at the Tax Department.

Jerry Haney spoke concerning the flawed Revaluation process.

Martin Oakes asked the Board not to renew the appointment of the Tax Administrator.

Mike Davis spoke concerning the need for change in the Tax Department.

Being no additional speakers, Chairman Patton declared the public comments section closed.

**Motion and Second to adopt Resolution #2011-37: Resolution Authorizing Issuance of Bonds – Leon Harmon:** Mr. Harmon presented the following information:

**RESOLUTION AUTHORIZING ISSUANCE OF BONDS**

Commissioner Robinson moved adoption of the following resolution, the motion was seconded by Commissioner Arena, and the resolution was read by the above title.

WHEREAS, the bond order hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Lincoln, North Carolina (the “Issuer”), as follows:

1. Pursuant to and in accordance with the refunding bond order adopted by the Board of Commissioners on June 6, 2011, the Issuer shall issue its bonds in an aggregate principal amount not exceeding \$34,500,000, subject to adjustment as hereinafter provided.

2. The bonds to be issued pursuant to the bond order described in the preceding paragraph shall be designated “General Obligation Refunding Bonds, Series 2011C” (the “Bonds”). The Bonds shall be dated July 19, 2011 and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on December 1, 2011 and semi-annually thereafter on June 1 and December 1. The Bonds shall mature annually on June 1 as follows, subject to adjustment as hereinafter described:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2012	\$ 585,000	2018	\$2,165,000
2013	805,000	2019	2,130,000
2014	795,000	2020	2,100,000
2015	1,510,000	2021	4,275,000
2016	2,675,000	2022	5,270,000
2017	2,215,000	2023	5,185,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that 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 on the Bonds shall be payable 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. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

The Bonds shall be deemed to refund each of the issues of bonds being refunded within the respective periods of usefulness of the capital projects financed by each of the issues of bonds being refunded.

3. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on June 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) 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 in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

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

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those 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 has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

5. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \_\_\_\_\_ \$ \_\_\_\_\_

United States of America  
State of North Carolina

COUNTY OF LINCOLN

GENERAL OBLIGATION REFUNDING BOND, SERIES 2011C

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
		July 19, 2011	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

The County of Lincoln (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Finance Director of the County, 115 W. Main Street, Lincolnton, NC 28092 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the December 1 or June 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a December 1 or June 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on December 1, 2011, and semi-annually thereafter on June 1 or December 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. 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.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, a bond order adopted by the Board of Commissioners of the County on June, 2011 (the "Bond Order") and a resolution adopted by that Board (the "Resolution") to provide funds, together with any other funds that may be provided, to refund all or a portion of the County's outstanding General Obligation School Bonds, Series 2002A, dated December 1, 2002, General Obligation School

Bonds, Series 2004, dated October 1, 2004, and General Obligation School Bonds, Series 2005, dated October 1, 2005.

The bonds maturing on and after June 1, 2020 shall be subject to redemption prior to their stated maturities at the option of the County on or after June 1, 2019 in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days 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 County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar 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 DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those 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 form satisfactory to the Bond Registrar. Upon any 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, in 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 conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated July 19, 2011.

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Chairman of the Board of Commissioners

(SEAL)

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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.

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Secretary,  
Local Government Commission

**CERTIFICATE OF AUTHENTICATION**

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

COUNTY OF LINCOLN  
FINANCE DIRECTOR, as Bond Registrar

By: \_\_\_\_\_  
Authorized Signature

Date of Authentication: July 19, 2011

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_  
the within Bond and irrevocably appoints \_\_\_\_\_  
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of  
substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

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.

6. The Bonds maturing on and after June 1, 2020 shall be subject to redemption prior to their stated maturities at the option of the County on or after June 1, 2019 in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date,

upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

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

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption 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, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, 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 that 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.

7. 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 form 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 on 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 form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the 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 the 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 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 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 the exchange or registration of transfer, but no other charge shall be made 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 that mailing or of any Bond called for redemption in whole or in part pursuant to this Section

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 Bond and the interest on any 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 that 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 and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable 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 as Finance Director, 115 W. Main Street, Lincolnton, NC 28092, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

8. The Issuer hereby reserves the right to increase or decrease the principal amount of any maturity of the Bonds to be sold as described in the Notice of Sale relating to the Bonds.

9. The actions of the Finance Director of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement 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 changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

10. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Finance Director of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Finance Director and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

13. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver an Escrow Deposit Agreement in such form as may be approved by them, their execution thereof constituting conclusive evidence of such approval.

14. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (“MSRB”):

(a) by not later than seven months from the end of each fiscal year of the Issuer, 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, (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 heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) 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, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (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, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;

(13) the consummation of a merger, consolidation, or acquisition involving the or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, 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.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all 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. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners 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 identify, 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 relating to the Bonds, 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 interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section 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.

15. The investment banking firm of First Tryon Advisors is hereby authorized to serve as financial advisor to the Issuer (the "Financial Advisor") in connection with sale and issuance of the Bonds. The Financial Advisor and its affiliates are hereby expressly authorized to bid for the purchase of the Bonds.

The motion was adopted by the following vote:

AYES: Commissioners Patton, Arena, Klein, Mitchem and Robinson.

NAYS: none.

**Motion to Authorize Chairman and County Clerk to Execute Lease Agreement with Community Health Partners – Martha Lide:** Ms. Lide presented the following information.

It is recommended that the Board approve the lease agreement with Community Health Partners, Inc. for use of space in the Medical Arts Building at the old CMC Hospital complex. As budget constraints have forced the delay of our renovation of that facility, it behooves the County to temporarily rent this space.

Community Health Partners, Inc. is a 501 (C) 3 associated with Gaston Family Health Services. They provide “Primary Care Case Management” services. “Primary Care Case Management” means that the staff works on behalf of a payor, or system of care, to influence the patient’s or provider’s choices in treatment in order to improve quality of care and/or reduce cost. At the May 2, 2011 meeting, the Board of County Commissioners approved a lease with Gaston Family Health Services dba as Helping Hands Health Center for space in the same building.

This lease is a one year lease from July 1, 2011 through June 30, 2012 with a one year renewal option. Rent will be at a rate of \$8.00 per square foot. The County has the discretion to terminate the lease with 90 days written notice. Lincoln County will insure the premises and Community Health Partners, Inc. will insure the contents.

The Charlotte Mecklenburg Hospital Authority will also be executing this lease agreement in order to clearly waive the rights and restrictions that have been placed on the premises. The current restrictions state that the premises may not be used for operation of a hospital, medical clinic, medical office building, or other use related to medical care.

**UPON MOTION** by Commissioner Arena, the Board voted unanimously to approve the Motion to Authorize Chairman and County Clerk to Execute Lease Agreement with Community Health Partners.

**Motion to Approve Contract with All Med for EMS Medical Supplies – Martha Lide:** Ms. Lide presented the following information.

It is recommended that the Board approve the two-year contract with AllMed for the purchase of medical supplies for EMS. Based on the current rate for using supplies, we estimate the annual value of the contract to be approximately \$115,000.

Below is the selection process used:

- On April 15, 2011, RFP # 2011-0516-MS was issued. Potential vendors were required to submit pricing and shipping cost for items listed, and information on the company’s expiring drug return policy, inventory management system, and consignment/ warehousing program.

- Lincoln County received, opened and read 14 sealed bids on May 16, 2011 from the following companies:

All American Poly	Midwest Medical Services
AllMed	Moore Medical
BoundTree Medical	Pharm-Aid
CPR Saver & First Aid Supply	Progressive Medical
Emed Medical	QuadMed
Henry Schein	Southeastern Emergency Equipment
Laerdal Medical	Zoll Medical

- It was determined that AllMed, Boundtree Medical, Henry Schein met most of the specifications:
  - All three companies submitted very competitive pricing. The actual cost the County incurs will be based on the amount of each item we buy. As it is not possible to forecast that amount, we have attached a Cost Comparison Spreadsheet that includes a comparison of price on the 246 like items bid, and a comparison of price on high volume items.
  - Out of 285 items sent for bid, AllMed bid on 96%, Boundtree bid on 93% and Henry Schein bid on 92%. Attached is a spreadsheet showing the items that were not bid, and how they will be purchased.
  - The companies differed in terms of their expiring drug return program, inventory management and consignment/warehousing programs:

Vendor	AllMed	Boundtree	Henry Schein
Expiring Drug Program	Yes - credits our account 100% the cost of the drug if returned 30 days prior to expiration.	No	No
Inventory Management	Yes/ no charge	Yes / but did not specify cost	Yes/no charge
Consignment Warehousing	Yes	No	No

- Lincoln County EMS feels that, with the expiring drug return program and the warehousing program offered, AllMed is the best choice for Lincoln County and its taxpayers.
  - Expired drugs currently cost LCEMS approximately \$5,100. With the expiring drug return program, LCEMS can return drugs that are going to expire for a 100% credit and receive a shipment of replacements. This will cut down on expenses and help the environment, since the expired drugs will not be poured down a drain or thrown in the trash.
  - The warehousing program will reduce LCEMS's overhead in spare supplies. Currently, we keep a 45 to 60 day supply at an approximate cost of \$20,000 to the county. With AllMed's warehousing program, we can keep a 7 to 14 day supply at an approximate cost of \$5,500 to the county, and a 45 to 90 day supply at the warehouse that is not paid for until it leaves the warehouse. This would allow the county to accrue interest on approximately \$14,500 per month. The warehousing program also helps insure that LCEMS can render appropriate patient care when items are in short supply due to recall or manufacturer backorder. The warehoused items can also be utilized in times of disaster.

It is recommended that we award a two-year contract stated in RFP 2011-0516-MS to AllMed for the 96% of the supplies they bid. The prices will be guaranteed for two years, with the remaining 4% purchased through other vendors that have “Exclusive” deals with manufacturers. See attached Items not Bid.

### **Cost Comparison Spreadsheets**

#### Comparison of items based on the 246 Like items bid by vendors

Vendor	AllMed	Boundtree	Henry Schein
Item cost on 246 Like items	\$7,743.54	\$7,135.62	\$6,812.89

#### Comparison of 62 High Volume items Bid by Vendors

Vendor	AllMed	Boundtree	Henry Schein
Item cost on 62 High Volume items	\$102.82	\$104.24	\$99.89

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the contract with All Med for medical supplies for EMS.

**Resolution #2011-38: Resolution Adopting a Credit Card Procedures Manual for Lincoln County, North Carolina – Leon Harmon:** Mr. Harmon presented the following information.

RESOLUTION #2011-\_\_\_\_: A RESOLUTION ADOPTING A CREDIT CARD PROCEDURES MANUAL FOR LINCOLN COUNTY, NORTH CAROLINA

THAT WHEREAS, the County has issued credit cards to some key employees to facilitate the purchasing of some materials and supplies and other goods and services; and

WHEREAS, the Finance Director has prepared a procedures manual detailing the rules and regulations for such use; and

WHEREAS, the County Manager has reviewed this manual and has recommended its adoption by the Board of Commissioners in order to clarify the rules and regulations for credit card use;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Lincoln County, North Carolina as follows:

Section 1. That the attached document entitled "County of Lincoln Credit Card Procedures Manual", prepared by the Finance Department, is hereby adopted as the rules and regulations for the use of any and all credit cards or store-issued cards approved for any employee of Lincoln County for official county business.

Section 2. That these rules and regulations shall supersede any previously issued administrative rules and regulations for such use.

Section 3. That this Manual shall become effective immediately upon its adoption.

Adopted this 20<sup>th</sup> day of June, 2011.

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Alex E. Patton  
Chairman, Board of Commissioners

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Attested by: Amy S. Atkins  
Clerk to the Board

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve Resolution #2011-38: Resolution Adopting a Credit Card Procedures Manual for Lincoln County, North Carolina.

**Motion to Accept the Proposal of Tax Reduction Specialists to Conduct a Sales Tax Audit; and a review of telecommunications and utility invoices on a contingency basis as proposed by the Finance Director – Leon Harmon:** Mr. Harmon presented the following information.

As you are aware local governments in North Carolina are required to pay sales tax on tangible personal property purchases. We pay the sales tax, then at year end we along with non profits, can file for a refund from the State on the amount of sales tax paid during the year. This refund is on purchases we make, as well as materials used in construction projects based on statements provided by contractors.

The accuracy of these refunds depends on how well our staff and the staff of the non profits gather the information to complete the refund applications. The big question that arises is where the property was delivered and the appropriate county that the tax should be charged back against. There is a lot of confusion with companies as the correct accounting and charges related to sales tax.

Lincoln County, along with most counties in North Carolina, periodically contract with a private company to audit these tax refunds. Since it has been several years since these returns were audited I would like to recommend we reexamine the returns.

John Isenhour, our purchasing agent advertised with RFP#2011-602 for sales tax audit services, the following proposals were received on June 2, 2011:

CFG & Associates	: Fee 31% of refund for County 22% of refund non profits
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Tax Reduction Specialists Fee 20% for all refunds

Robert S. Segal CPA                   Fee 25% \$40,000 or more refund  
  35% less than \$39,999 due

Cherry, Bekaert & Holland, LLP  
  No contingency billing  
  Hourly rates \$80 - \$395

I would like to recommend the approval of the RFP from Tax Reduction Specialists (TRS) a division of Utility Reduction Specialists (URS). Although TRS hasn't performed the sales tax audits for us they have done numerous other expense reductions for us and have performed the sales tax audits for 60 N.C. counties. Since they also do reviews of telecommunication and utility invoices, I would recommend that we also contract with URS for this review. Their fee for the telecommunications and utility review is 40% of savings over a 24 month period. We have used them for this service and had excellent results in the past. Since they have already reviewed these invoices several years ago their potential for savings will be less.

The good thing about these contingency contracts for this type of service, if no savings are found there is no cost to the County. It also creates an incentive for the company to look for all refunds that are worth re-filing.

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**UPON MOTION** by Commissioner Arena, the Board voted unanimously to Accept the Proposal of Tax Reduction Specialists to Conduct a Sales Tax Audit, and a review of telecommunications and utility invoices on a contingency basis as prepared by the Finance Director.

**Motion to Adopt Resolution #2011-39: A Resolution for the Appointment of the Tax Administrator for Lincoln County, North Carolina – George Wood:** Mr. Wood presented the following information.

**RESOLUTION #2011-\_\_ : A RESOLUTION FOR THE APPOINTMENT OF THE  
TAX ADMINISTRATOR FOR LINCOLN COUNTY, NORTH CAROLINA**

THAT WHEREAS, North Carolina General Statutes require the appointment of a tax assessor and a tax collector for either a four-year or two-year term; and

WHEREAS, the two positions can be combined into one position of Tax Administrator, in which one person performs the official duties of both positions; and

WHEREAS, the Lincoln County Board of Commissioners have previously appointed Mrs. Madgalene H. (Madge) Huffman to the position of Tax Administrator for a term running from July 1, 2007 through June 30, 2011; and the Board needs to make an appointment for a term of office beginning July 1, 2011; and

WHEREAS, Mrs. Madgalene H. Huffman received her certification for County Assessor from the North Carolina Department of Revenue on May 6, 1999, and continues to meet all the requirements of North Carolina General Statute 105-294 to be appointed to serve a regular term of two (2) or four (4) years; and

WHEREAS, Mrs. Madgalene H. Huffman meets the qualifications listed in North Carolina General Statute 105-349 for appointment as County Tax Collector; and

WHEREAS, the County Manager has recommended that Mrs. Madgalene H. Huffman be reappointed to either a four-year term or two-year term beginning on July 1, 2011 as the Tax Administrator for Lincoln County, North Carolina, with said position combining the Tax Assessor and Tax Collector positions as set out in State law;

NOW THEREFORE BE IT RESOLVED by the Lincoln County, North Carolina Board of Commissioners that Mrs. Madgalene H. (Madge) Huffman be and is hereby appointed as Tax Administrator for Lincoln County for a term of two (2) years commencing on July 1, 2011 and ending on June 30, 2013.

BE IT FURTHER RESOLVED that the position of Tax Administrator in Lincoln County shall, and hereby does, include all of the duties and responsibilities, and rights and privileges of the Tax Assessor and Tax Collector as those are set out in State statutes and administrative regulations; and that it is the intent of this Board that Mrs. Huffman shall be the Tax Assessor and the Tax Collector for Lincoln County, North Carolina, and shall be entitled to exercise all of the rights and privileges, and to fulfill all of the duties and responsibilities of those two offices, in her capacity as Tax Administrator for Lincoln County.

BE IT FURTHER RESOLVED that the Lincoln County Tax Administrator shall report to the Lincoln County Manager and be subject to his direction and supervision to the extent that it is not inconsistent with North Carolina General Statute 105-294 or other applicable law of the State of North Carolina.

Passed and adopted this 20<sup>th</sup> day of June, 2011.

By: \_\_\_\_\_  
Alex E. Patton, Chairman  
Lincoln County Board of Commissioners

Attest: \_\_\_\_\_  
Amy S. Atkins,  
Clerk to the Board

Commissioner Mitchem expressed his displeasure with the Tax Department. He said he would like to see someone appointed temporarily and hire someone new to run the Tax Department.

**A MOTION** by Commissioner Klein to Adopt Resolution #2011-39: A Resolution for the Appointment of the Tax Administrator for Lincoln County, North Carolina for a two year period.

Commissioner Arena said he would like to modify to do an audit of the Board of Equalization and Review and Tax Department. Commissioner Klein said Mr. Wood should do the audit of the Tax Department. Commissioner Arena said he would just like it known that there is work to be done.

**Motion to Authorize Chairman and County Clerk to Execute Lease Agreement Renewals for Health Department's Home Health Division as recommended by the County Manager – George Wood:** Mr. Wood presented the following information.

As you know, we lease a portion of a shopping center for the Health Department's Home Health Division. That lease has been expired, and the County has been a month to month tenant. We began discussions last fall with Piedmont Companies regarding a lease extension.

We believe our best option is to move into the Medical Arts Building (part of the old hospital building) by December of this year. Therefore, we recommend that you authorize the Chairman and County Clerk to execute a lease for the existing premises through December, 2011, with the rent increasing from \$2,250 per month to \$2,666.67 per month. This is inclusive of the rental and CAM charges for the property. The rent has not been increased since 2004, and the \$2,666 per month is in line with the Bureau of Labor Statistics' inflation calculator, using 2004 as the base year. The increase would be retroactive to January 1, 2011, as I had asked them to let us finish the budget before we finalized this, and we had been working on it at that time.

We could then rent month to month after that, with 60-days notice of termination. We should be able to occupy our space within that time, as the occupants will be moving out in the fall.

We believe this is a reasonable lease, and will allow a smooth transition to temporary quarters in the Medical Arts Center until the old hospital is fully renovated for the Health Department.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to Authorize Chairman and County Clerk to Execute Lease Agreement Renewals for Health Department's Home Health Division as recommended by the County Manager.

**Capital Project Report – Burns Whittaker:** Burns Whittaker presented the Capital Project Report.

**Finance Officers Report – Leon Harmon:** Leon Harmon presented the Finance Officer's Report.

**County Manager's Report – George Wood:** Mr. Wood reported on the Gaston-Lincoln Regional Library, Meth Lab cleanup expenses, the GFOA Certificate of Achievement for Excellence in Financial Reporting, and bond information.

**County Commissioners' Report:** Commissioner Klein updated the Board on the Regional Coalition.

Commissioner Robinson reported on the Lincoln Soil and Water Conservation Farm Tour. He said he was really impressed with the tour and the information Rick McSwain presented.

**Vacancies/Appointments:** Commissioner Robinson presented the following vacancies and appointments:

**Vacancies:**

- Nursing and Adult Home Community Advisory Committee
- Recreation Commission
  - o Howard's Creek Township (2)
  - o Lincolnton Township
- Lincoln County Community Friends
  - o Ironton
  - o Lincolnton
- Lincoln Natural Resources
- Industrial Revenues Bond Board
- Library Board
  - o Lincolnton Township

**Appointments:**

- Library Board
  - o Reappoint Rebecca Powell to the Regional Board
- DSS:
  - o Reappoint Alex Patton
- Region F Aging:

- Reappoint Charles and Elizabeth Mize
- Planning Board:
  - Reappoint Christine Poinsette and Keith Johnson
  - Appoint Darrell Gettys (Gary Garlow asked to not be considered for reappointment)
- Community Friends Corp:
  - Reappoint Wayne Mitchem, Bill Piersol and Rene Bess
- Workforce Development Board:
  - Reappoint Gisella Busse and Judi Morton
- Board of Health:
  - Reappoint:
  - Dr. Cordell Scott, Dentist – Term 2 3/1/2011 – 2/28/2014
  - Mrs. Kathy Caudle, Public at-Large - Term 2 3/1/2011 – 2/28/2014
  - Dr. Donnie Davis, RPh, Pharmacist – Term 3 1/1/2011 – 12/31/2013
  - Dr. Bob Hitt, Optometrist – Term 3 7/1/2011- 6/30/2014

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve all appointments except the Planning Board

**Planning Board**

- Christine Poinsette

**A MOTION** by Commissioner Robinson to reappoint Christine Poinsette to the Planning Board.

Commissioner Arena stated that he will vote against Ms. Poinsette based on some teamwork issues.

**VOTE:** 4 – 1            **FOR**            Patton, Robinson, Klein, Mitchem  
**AGAINST:**            Arena

**Planning Board**

- Keith Johnson

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to appoint Keith Johnson to the Planning Board.

**A MOTION** by Commissioner Robinson to appoint Darrell Gettys to the Planning Board.

Commissioner Arena said this is an appointment for the Catawba Springs Township and he, Commissioner Klein, Jeff Frushtick and Tom Campbell supported the reappointment of Gary Garlow.

Commissioner Robinson said people have asked for equal representation. He said Mr. Garlow has served for 8 years and he felt it was time for new blood.

Commissioner Klein stated that Mr. Garlow has served admirably and it is unfortunate that he has opted out this cycle. He said he thinks Mr. Garlow reflects the thinking of the citizens of Catawba Springs as accurately as anyone he knows.

**VOTE: 3-2 FOR: Patton, Robinson, Mitchem  
AGAINST: Klein, Arena**

**Calendar:** Chairman Patton presented the July 2011 calendar.

**Other Business:**

- Register of Deeds Report

**Closed Session:** **UPON MOTION** by Commissioner Mitchem, the Board entered Closed Session pursuant to § 143-318.11(a)

- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to return to open session and Chairman Patton announced that no action was taken in closed session.

**ADJOURN:** **UPON MOTION** by Commissioner Robinson, the Board voted unanimously to adjourn.

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Amy S. Atkins, Clerk  
Board of Commissioners

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Alex E. Patton, Chairman  
Board of Commissioners