

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 4, 2008

The Lincoln County Board of County Commissioners met on August 4, 2008, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Thomas R. Anderson, PE, Chairman
Alex E. Patton, Vice Chairman
Marie Moore
Bruce Carlton
James A. Klein

Planning Board Members Present:

Jerry Geymont, Chairman
George Arena, Secretary
Tom Campbell
Larry Craig
Karl Dearnley
Darrell Harkey
Harold Howard Jr.
Louis McConnell

Others Present:

George Wood, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Atkins, Clerk to the Board
Kelly Atkins, Director of Building and Land Development
Randy Hawkins, Zoning Administrator
Candi Cornwell, Associate Zoning Administrator
Randy Williams, Principal Planner
Rob Carson, Associate Planner
Steve Gilbert, Director of Public Works
Barry McKinnon, Sr. Utility Engineer

Call to Order: Chairman Anderson called the August 4, 2008, meeting of the Lincoln County Board of Commissioners to order.

Invocation: Commissioner Patton gave the Invocation and led in the Pledge of Allegiance.

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

UPON MOTION by Commissioner Klein, the Board voted unanimously to adopt the agenda adding vacancies and appointments under Other Business and Update on Charter School under Other business and removing the Public Hearing with Historic Properties.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

AUGUST 4, 2008

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|----|---------|---|
| | 6:30 PM | Call to Order |
| | 6:31 PM | Invocation – Commissioner Patton |
| | 6:32 PM | Pledge of Allegiance |
| 1. | 6:33 PM | Adoption of Agenda |
| 2. | 6:34 PM | Consent Agenda <ul style="list-style-type: none">- Approval of Minutes- Tax Requests for Refunds – More than \$100<ul style="list-style-type: none">- July 6 – 13, 2008- Tax Requests for Releases – More than \$100<ul style="list-style-type: none">- June 16 – July 15, 2008- Waived Fees<ul style="list-style-type: none">- MDA – Annual Lock-up Fundraiser- Sponsored Group Status<ul style="list-style-type: none">- South Fork Baptist Association |
| 3. | 6:36 PM | Report from the Planning Board – Jerry Geymont |
| 4. | 6:40 PM | Public Hearing – Zoning Cases – Randy Hawkins |

CZ #08-1 Brian and Tabitha Mocilan, applicants (Parcel ID# 02379) A request to rezone a 0.7-acre parcel from R-S (Residential Suburban) to CZ B-N (Conditional Zoning Neighborhood Business) to permit a 4,900-square-foot retail/office building. The property is located on the north side of Hwy. 16 about 350 feet east of Burnwood Trail in Catawba Springs Township.

CUP #286 Calico Technologies Inc., applicant (Parcel ID# 86900 and 86901) A request for a conditional use permit to operate a metal-coating facility in the I-G (General Industrial) district. The proposed 4.6-acre site is located on the north side of Balsom Ridge Drive about 600 feet east of Hwy. 16 in Catawba Springs Township.

CUP #287 Kenneth McCurry, applicant (Parcel ID# 88349, 88350 and 88351) A request for a conditional use permit to place Class B (doublewide) mobile homes on three lots, one per lot, in the R-S (Residential Suburban) district. The property, totaling 5.5 acres, is located on the west side of Old Lincolnton-Crouse Road about 600 feet north of Hwy. 150 in Howards Creek Township.

5. 7:20 PM Joint Public Hearing with Historic Properties Commission: Daniel Rhyne House Landmark Designation
6. 7:35 PM Orders Authorizing Bonds – Leon Harmon
7. 7:45 PM Public Comments
8. 8:00 PM Cycle NC Comes to Lincoln County – Erma Deen Hoyle
9. 8:10 PM Resolution 2008:07 – Settlement of Taxes with Tax Administrator
10. 8:15 PM Approval of Order Directing Tax Collector to Collect 2008 Taxes
11. 8:20 PM Drought Update – Steve Gilbert
12. 8:25 PM Odor Control Update – Steve Gilbert
13. 8:30 PM Update on Sewer Plant – Steve Gilbert
14. 8:35 PM Other Business
 - Vacancies and Appointments
 - Update on Charter School

Adjourn

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

- Approval of Minutes
 - July 19, 2008
- Tax Requests for Refunds – More than \$100
 - July 6 – 13, 2008

LINCOLN COUNTY TAX DEPARTMENT
MOTOR VEHICLES

REQUEST FOR REFUNDS

PERIOD COVERED (July 6, 2008-July 13, 2008)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Nilt Inc. as Trustee for Nissan	2008	DFD	0202999	148.87

TOTAL \$148.87

- Tax Requests for Releases – More than \$100
- June 16 – July 15, 2008

NAME	YEAR	A/C NO	AMOUNT
Atkins, Paul Stephen	2008	0202347	\$107.18
Balance, Carol Sellers	2008	0211981	\$169.88
Berner, Jocelyn Ann	2008	0212059	\$122.03
Bourque, Albert Joseph Jr.	2008	0160566	\$109.20
Bridges, Angela H	2000 -2007	0100770	\$151.87
Burch, Brett Lee	2008	0206006	\$114.66
Butler, Dwight Lee	2008	0211994	\$312.85
Cagle, Cindy Ruth	2007	0196244	\$172.41
Cagle, Mary Black	2005-2006	0172668	\$129.75
Carolina Charters of Vale	2007	24473	\$246.51
Christopher, Dennis Lee	2007	0210552	\$237.74
Coulter, Renee Chapman	2007	0209660	\$100.65
Dugger, Paula Diane	2007	0206138	\$109.04
Enterprises Leasing Co SE	2008	0147681	\$226.63
Fitzpatrick, Jeannie Willis	2008	0212404	\$278.11
George, Wayne Mack	2008	0093145	\$193.17
Griffith, William Kenneth	2008	0212168	\$217.16
Grove, Sonnie Dee	2007	35668	\$144.38
Gunter, Nicholas Glenn	2007	0168461	\$115.08
Houser, Marshall D	2007	07309	\$111.17
Hunt, Nathaniel	2007	0210252	\$149.41
Kunkel, George Douglas	2007	0175349	\$125.12
Laws, Douglas William	2008	0153860	\$171.89
Leatherman, Heather Parker	2006	0195496	\$361.50
Lincoln Center For Women's	2007	0159134	\$429.29
Mauney, Chad L	2008	0132310	\$232.60
McAllister, Crystal McKoy	2007	0211189	\$149.53
Nolen, Michelle Fagg	2007	0202324	\$111.66
Oddo, Anna Marie	2007	0210617	\$195.27
Patrick, Daniel James	2007	0161670	\$121.15
Patrick, Gary Andrew	2008	0064917	\$105.76
Petroleum Service & Calibratio	2008	0146321	\$524.17
Reed, Joshua Sherrill	2007	0151612	\$144.33
Schronce, Earnest Andrew	2007	0096985	\$115.31
Scott, Cathy Sherrill	2007	0170526	\$206.15
Sevilla, Lauren Suzanne	2007	0210517	\$101.33
Smith, David Taylor	2007	0210338	\$120.72

Wood, Audra Lynn	2007	0141157	\$104.78
		Total	\$6,839.44

NAME	YEAR	A/C NO	AMOUNT
Air Vent Inc	2008	0173657	\$4,723.93
Cable, Hazeleen Heirs of	2008	0122562	\$2,155.77
Cannon Properties (DBA)	2006-2007	0140068	\$793.40
CED Inc.	2007	0202266	\$440.00
Cool Professional Services	2008	0207331	\$110.24
First Impression auto Sales	2008	0208308	\$690.00
Gilbert, Johnson B	2008	03955	\$1,205.28
Hager, Douglas N & Rebecca	2008	46826	\$352.57
Hobbs Westport Marina LLC	2008	0183006	\$854.90
McDonald, David G	2008	0148007	\$166.31
Nixon, Florence Bernice L	2008	18953	\$379.07
Peoples Bank	2008	0122546	\$511.65
Pilarcek, Michelle	2007-2008	0204314	\$419.99
Smith, Vernon Leroy	2008	0065365	\$333.73
Wallace Construction Inc.	2008	0203967	\$107.35
Weatherwax, Robert J	2008	0211769	\$230.40
Yount, Paul (Farm Inc.)	2007	30121	\$128.17
		TOTAL	\$13,602.76

- Waived Fees
 - MDA – Annual Lock-up Fundraiser
- Sponsored Group Status
 - South Fork Baptist Association

Report from the Planning Board: Jerry Geymont gave the report from the Planning Board. He reported that the Planning Board received updates concerning the following projects at their workshop in July: 150 W Corridor Plan, Highway 16 Overlay Plan, Module 3 of the Unified Development Ordinance, and the Planning Board made recommendations concerning the pool of applicants for the vacant positions.

Public Hearing – Zoning Cases – Randy Hawkins:

NOTICE OF PUBLIC HEARINGS

Chairman Anderson announced that this was the date, Monday, August 4, 2008, and the time, 6:30 PM, which was advertised in the *Lincoln Times-News* on July 25 and August 1, 2008.

NOTICE OF PUBLIC HEARINGS

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, May 5, 2008, at 6:30 p.m. to consider the following matters:

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, August 4, 2008, at 6:30 p.m. to consider the following matters:

CZ #08-1 Brian and Tabitha Mocilan, applicants (Parcel ID# 02379) A request to rezone a 0.7-acre parcel from R-S (Residential Suburban) to CZ B-N (Conditional Zoning Neighborhood Business) to permit a 4,900-square-foot retail/office building. The property is located on the north side of Hwy. 16 about 350 feet east of Burnwood Trail in Catawba Springs Township.

CUP #286 Calico Technologies Inc., applicant (Parcel ID# 86900 and 86901) A request for a conditional use permit to operate a metal-coating facility in the I-G (General Industrial) district. The proposed 4.6-acre site is located on the north side of Balsom Ridge Drive about 600 feet east of Hwy. 16 in Catawba Springs Township.

CUP #287 Kenneth McCurry, applicant (Parcel ID# 88349, 88350 and 88351) A request for a conditional use permit to place Class B (doublewide) mobile homes on three lots, one per lot, in the R-S (Residential Suburban) district. The property, totaling 5.5 acres, is located on the west side of Old Lincolnton-Crouse Road about 600 feet north of Hwy. 150 in Howards Creek Township.

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

Chairman Anderson asked that ex parte discussions be revealed at the time cases are discussed, and none were given.

Conditional Zoning No. 08-1 – Brian and Tabitha Mocilan, applicants: Randy Hawkins presented the following:

The applicants are requesting the rezoning of a 0.7-acre parcel from R-S (Residential Suburban) to CZ B-N (Conditional Zoning Neighborhood Business) to permit a 4,900-square-foot office/retail building. If this request is approved, the development of this property would be governed by the B-N district's regulations, the approved site plan and building elevations, and any additional rules and conditions that are imposed.

This property is located on the north side of Hwy. 16 about 350 feet east of Burnwood Trail in Catawba Springs Township. It is adjoined by property zoned R-S, B-G (General Business), B-N, and I-G (General Industrial). Land uses in this area are a mixture of residential, business and industrial. County water is available at this location. The Lincoln County Land Use Plan classifies the area on this side of Hwy. 16 as Suburban Residential. The area on the opposite side is classified as Industrial.

A community involvement meeting was held on July 15, 2008, at the Denver Fire Department. Three owners of neighboring properties attended the meeting. All expressed support for the proposal.

Staff's recommendation is to deny based on the Land Use Plan. The Land Use Plan did recommend further study on the Highway 16 Corridor and that there be a continued mixture of business and residential uses in that corridor, but the corridor did not extend

this far north. He stated that the applicants, on staff's recommendation, included in their site plan some of the recommendations in the Land Use Plan for the Highway 16 Corridor such as parking in the rear and connectivity. They also have some architectural features for the building.

Chairman Anderson opened the public hearing concerning CZ No. 08-1 – Brian and Tabitha Mocilan, applicants.

Gail Huss, 4764 Burton Lane, stated that she is speaking on behalf of the applicants. She said Brian and Tabitha Mocilan purchased the property to build a building to house their hardwood flooring business and rent out the other space in the building. She stated that the lot to the left is already zoned General Business and has a billboard on it. North of that, there are duplexes which are income producing properties, to the south there are duplexes and homes, most of which have been rezoned to General Business.

Being no additional speakers, Chairman Anderson declared the public hearing closed.

Conditional Use Permit No. 286 – Calico Technologies Inc., applicant: Randy Hawkins presented the following:

The applicant is requesting a conditional use permit to operate a metal-coating facility in the I-G (General Industrial) district. The applicant currently operates a metal-coating facility in the Denver Industrial Park and is requesting a permit to relocate in the Balsom Ridge Business Park. Metal coating is permitted in the I-G district subject to the issuance of a conditional use permit by the Board of Commissioners.

The property is located on the north side of Balsom Ridge Drive about 600 feet east of Hwy. 16. It is adjoined by property on both sides by property zoned I-G. The property on the opposite side of Balsom Ridge Drive is zoned I-G. The property to the rear of this property is zoned B-N (Neighborhood Business) and R-SF (Residential Single-Family). County water and sewer are available at this location. This property is located in an area that's classified by the Lincoln County Land Use Plan as industrial.

Chairman Anderson opened the public hearing concerning CUP No. 286 – Calico Technologies Inc., applicant.

Tracy Trotter, owner of Calico Technologies, stated that they have been in business in Lincoln County since 1997. He said they started with 2 employees and they now have 23. He said they are building to expand due to the fact that they are a growing business.

Chairman Anderson stated that he visited Calico a few years ago. He asked Mr. Trotter to explain what they do at the location. Mr. Trotter stated that they apply coating similar to Teflon on a frying pan to the automotive racing and industrial industries.

Commissioner Moore asked about waste. Mr. Trotter stated that they use Waste Management for disposal of waste, but in ten years they've probably only had about 8 gallons of waste.

Being no additional speakers, Chairman Anderson declared the public hearing closed.

Conditional Use Permit No. 287 – Kenneth McCurry, applicant: Randy Hawkins presented the following:

The applicant is requesting a conditional use permit to place Class B (doublewide) mobile homes on three lots in the R-S (Residential Suburban) district, one home per lot. (Class B mobile homes are standard doublewides. Class A mobile homes are doublewides with a 4/12 roof pitch). Class B mobile homes are permitted in the R-S district subject to the issuance of a conditional use permit by the Board of Commissioners.

The property, totaling 5.5 acres, is located on the west side of Old Lincolnton-Crouse Road about 600 feet north of Hwy. 150 in Howards Creek Township. It is adjoined on all sides by property zoned R-S. Land uses in this area are primarily residential, with a mixture of site-built houses, doublewides, and singlewides. The Lincoln County Land Use Plan classifies this area as Suburban Residential, suitable primarily for single-family homes.

The applicant has agreed to a condition that only new doublewides can be placed here. No repossessions or used home may be placed here.

Chairman Anderson opened the public hearing concerning CUP No. 287 – Kenneth McCurry, applicant.

Being no speakers, Chairman Anderson declared the public hearing closed.

Orders Authorizing Bonds – Leon Harmon: Chairman Anderson introduced the following four orders authorizing bonds, each of which was read by title and summarized by the Finance Director:

**ORDER AUTHORIZING
\$2,700,000 PUBLIC BUILDING BONDS**

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

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Public Building Bonds in an aggregate principal amount not exceeding \$2,700,000, for the purpose of providing funds, together with any other available funds, for acquiring and constructing an office building to provide office space for agencies and offices of the County government, including the acquisition of land, furnishings and equipment, constructing and equipping a new animal shelter and renovating the County's existing animal shelter, including the acquisition of

land, furnishings and equipment, and constructing and equipping emergency medical service bays at fire stations in the County, including the acquisition of furnishings and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. §159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

ORDER AUTHORIZING \$800,000 INDUSTRIAL PARK BONDS

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

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Industrial Park Bonds in an aggregate principal amount not exceeding \$800,000, for the purpose of providing funds, together with any other available funds, for improving and expanding the County's industrial park, including the construction of street improvements, water system improvements and sanitary sewer improvements.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. §159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

ORDER AUTHORIZING \$620,000 LAW ENFORCEMENT FACILITIES BONDS

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

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Law Enforcement Facilities Bonds in an aggregate principal amount not exceeding \$620,000, for the purpose of providing funds, together with any other available funds, for acquiring and installing equipment to be used in connection with the County's emergency communication system, and acquiring and installing stainless steel vent covers for use in the County's jail.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. §159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

**ORDER AUTHORIZING
\$80,000 AIRPORT BONDS**

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

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Airport Bonds in an aggregate principal amount not exceeding \$80,000, for the purpose of providing funds, together with any other available funds, for constructing and equipping airport facilities, including constructing and equipping a new airport terminal and the acquisition of land, furnishings and equipment.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. §159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

The Board of Commissioners thereupon designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after a bond order has been introduced and before the public hearing thereon.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board, the sworn statement of debt as so required.

On motion duly made by Carlton, seconded by Patton and unanimously carried, the Board of Commissioners fixed 6:30 P.M., on August 18, 2008, in the Lincoln County Citizens Center, 115 Main Street, Lincolnton, North Carolina, as the hour, day and place for the public hearing upon the foregoing orders and directed the Clerk to the Board of Commissioners to publish each of said orders, together with the appended statement as required by Section 159-56 of The Local Government Bond Act, as amended, once in The Lincoln Times News not later than the sixth day before said date.

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

Rudy Bauer, 8252 Blades Trail, stated that he is very mad right now. He said there was a sewage spill today on Blades Trail at 8:05 and was contained at 8:30 a.m. He said he got the notice at 2:30 p.m. He stated that they swim in this cove and do their exercises in the

cove. They were in the water today and the letter says that this leak will not be reported to the media since only 50 gallons went into the cove. He said his taxes have been raised and he expected better service for it. He was very upset it took six hours to notify the residents.

Chairman Anderson declared the public comments section closed.

Cycle NC Comes to Lincoln County – Erma Deen Hoyle: Erma Deen Hoyle stated that Cycle North Carolina, a cross-state bicycle tour of North Carolina is coming to Lincoln County on Monday, September 29, day 2 of the popular ride. This will be for an overnight stay.

Lincoln county Parks and Recreation is one of the agencies working together to host this event. Activities planned will include a special night for “Alive After Five” and shuttle service to area restaurants and other points of interest.

Ms. Hoyle invited the Board to attend this event to welcome these visitors to Lincoln County.

Resolution 2008:07 – Settlement of Taxes with Tax Administrator: Chairman Anderson presented the Resolution for the Board’s approval.

RESOLUTION #2008-07: A RESOLUTION ACCEPTING THE TAX
SETTLEMENT WITH THE LINCOLN COUNTY TAX ADMINISTRATOR

THAT WHEREAS, THE Lincoln County Tax Administrator is charged with the collection of all real and personal property taxes for Lincoln County, the East Lincoln County Water and Sewer District, the Fire Districts, and the City of Lincoln; and

WHEREAS, NCGS 105-373 sets out a process whereby the Tax Administrator is to settle with the Board of Commissioners on an annual basis for all taxes charged for collection and those collected and remaining uncollected at year-end; and

WHEREAS, such settlement is to take place before the Tax Administrator can be charged with the collection of the next year’s tax collections; and

WHEREAS, the Tax Administrator has prepared the required Settlement and submitted it to the Finance Officer for review; and

WHEREAS, the Tax Administrator has forwarded the required Settlement for approval by the Board of Commissioners;

BE IT RESOLVED, and it is hereby RESOLVED that the Lincoln County Board of Commissioners hereby accepts and approves the Settlement of Taxes prepared by the Tax Administrator’s Office, which is attached hereto and incorporated by reference into this Resolution.

Adopted on August 4, 2008.

UPON MOTION by Commissioner Carlton, the Board voted unanimously to approve Resolution 2008:07.

Approval of Order Directing Tax Collector to Collect 2008 Taxes:

UPON MOTION by Commissioner Carlton, the Board voted unanimously to approve the order directing the tax collector to collect 2008 taxes.

ORDER OF COLLECTION OF LINCOLN COUNTY TAXES

State of North Carolina

County of Lincoln

To the Tax Collector of the County of Lincoln, North Carolina:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth, totaling \$55,063,016.31. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Lincoln, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 4th day of August, 2008.

Thomas R. Anderson, P. E.
Chairman, Board of Commissioners of
Lincoln County

Attest:

Amy S. Atkins
Clerk of Board of Commissioners of Lincoln County

Drought Update – Steve Gilbert: Steve Gilbert gave an update on the drought situation. Mr. Gilbert suggested keeping with the one day per week watering schedule.

Odor Control Update – Steve Gilbert: Steve Gilbert gave an update on the odor control situation. He presented a summary on the odor control devices and showed the Board a map of the sewer system. Mr. Gilbert gave the cost estimates for the types of odor control devices. He said bids will be taken and an alternative method of odor control will be on standby.

Mr. Wood stated that early next week, the filters will be in for 3, 4, and 12. Mr. Gilbert stated that they will coordinate installation with the factory rep.

Mr. Wood stated that backup units will be stored in Lincoln County so they will be on hand. Mr. Wood stated that WK Dickson is looking at the possibility of removing pump station 4 from service.

Chairman Anderson stated that it concerns him with the timeframe between when the sewer spill occurred and when the residents were notified. He stated that in the future, the Reverse 911 system should be used so a 6 hour lapse does not happen again.

Update on Sewer Plant – Steve Gilbert: Steve Gilbert gave an update on the Sewer Plant.

Other Business: **UPON MOTION** by Commissioner Klein, the Board voted unanimously to reappoint Commissioner Patton to the DSS Board.

Chairman Anderson asked the Manager for an update on the Charter School road improvements.

Mr. Wood stated that the deeds show that there is 100 feet of right of way except for one property that has a 60 foot right of way. This is at the north end and should not come into play. The Charter School will provide title insurance which will indemnify NCDOT. We are waiting on 2 things before proceeding. NCDOT has to approve the configuration for the left turn lane into Galway they are requiring, but not a right turn into Galway. The second issue is the property owners would need to agree. Granite Contracting LLC has been hired as the contractor and as soon as the right of way agreements are signed, they will begin work. The plan is to begin before school starts.

Commissioner Carlton asked if the Board has any say. He commented that this thing has been going on for over a year and there is a serious problem on Highway 16. He stated that this is a dangerous situation for motorists there. He said originally it was going to be widened and there would be a left and right turn lane onto Galway Lane. He said most traffic comes to Galway Lane and at rush hour there are 700 cars turning into this school. He said what they are proposing to solve the problem with is a short left turn lane and no right turn lane. This will make everyone stop as someone makes a right turn and this is not a solution. He stated that this shows a complete lack of leadership on the part of those that were supposed to solve a dangerous situation in Lincoln County. He stated that this is a cheap, expedient way to get off the hook and if we allow it here, it will be allowed again. He stated that this shows a total lack of common sense.

Commissioner Moore asked why the right turn lane was not expanded.

Mr. Wood stated that it was discussed and the parties went back to DOT and DOT said it was not necessary.

Commissioner Moore asked for a timeline of why and how happened with the right turn lane. Mr. Wood stated that all he knows is that Mike Holder, Division Engineer, approved it.

Commissioner Klein stated that it is unfortunate that the Board has no authority in this regard, as the right lane is necessary and should have been pursued. He stated that it is a partial solution and he does not like it at all.

Commissioner Carlton asked if the Board would be out of line if they requested a letter be sent to Richard Vinroot expressing the Board's desire for a right turn lane.

Chairman Anderson stated that if it is the Board's pleasure to have such a letter, it would be fine.

The Board discussed the reappointment of Chairman Anderson to the Future Forward Board. A decision will be made at a later date.

The Board discussed a policy on outgoing Commissioners appointments to outside Boards, Committees, and Commissions.

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

Amy S. Atkins, Clerk
Board of Commissioners

Thomas R. Anderson, PE, Chairman
Board of Commissioners