

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 18, 2003

The Lincoln County Board of County Commissioners met in regular session on August 18, 2003 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman
Thomas R. Anderson, PE
Carrol D. Mitchem
Buddy Funderburk

Commissioner Absent:

Larry S. Craig, Vice Chairman

Others Present:

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

Call to Order: Chairman Cochrane called the August 18, 2003 meeting of the Lincoln County Board of Commissioners to order and welcomed everyone present.

Invocation: Rev. John Bell of Bethpage Lutheran Church gave the Invocation and Chairman Cochrane led in the Pledge of Allegiance.

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

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to adopt the agenda adding a Proclamation Proclaiming the Month of September 2003 as Alcohol and Drug Addiction Recovery Month in Cleveland County, adding Recommendation for Zoning Map Amendment No. 462 – Carrol Mitchem, applicant, and 7a – Public Hearing for Schedule of Values.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

AUGUST 18, 2003

6:33 PM	Call to Order
6:34 PM	Invocation – Rev. John Bell, Bethpage Lutheran
6:36 PM	Pledge of Allegiance

1. 6:37 PM Adoption of Agenda
2. 6:38 PM Approval of Minutes
 - August 4, 2003
3. 6:40 PM Consent Agenda
 - Tax Requests for Releases
 - Less than \$100 – June 16 – July 15, 2003
 - More than \$100 – June 16 – July 15, 2003
 - Tax Requests for Refunds
 - Less than \$100 – June 19 – July 11, 2003
 - More than \$100 – June 19 – July 11, 2003
 - Budget Adjustments 3 - 15
 - Waived Fees for Auditorium
 - American Legion Medal of Honor Banquet
 - Miss Lincoln County Apple Queen Scholarship Pageant
 - Partial Release of Cash Bond for Paradise Cove – LOC #27
 - *Proclamation Proclaiming the Month of September 2003 as Alcohol and Drug Addiction Recovery Month in Cleveland County*
4. 6:45 PM Public Comments
5. 7:00 PM Planning Board Recommendations – Randy Hawkins
 - ZMA #461 – Lake Norman Dredging & Marine Construction, Inc., applicant
 - ZMA #462 – *Carrol Mitchem, applicant*
 - PCUR #95 – Bret Conway, applicant
 - PCUR #96 – Michael Maldonado, applicant
 - CUP #220 – Fleetwood Homes, applicant
 - CUP #221 – Bill Stamey, Jr., applicant
 - CUP #222 – Kevin Mauney, applicant
6. 7:20 PM Resolution to Apply for 2003 Local Law Enforcement Block Grant – Bill Beam
7. 7:25 PM Public Hearing and Resolutions Concerning Certificate of Participation – Leon Harmon
- 7a. 7:30 PM *Public Hearing – Schedule of Values*
8. 7:35 PM Reimbursement Resolution – Leon Harmon
9. 7:40 PM Contract Amendment – Water Plant Expansion – Preparation of Environmental Assessment – Steve Gilbert
10. 7:50 PM Finance Officer's Report – Leon Harmon
11. 8:00 PM Proposed Amendment to Rules of Procedure – Chairman Cochrane

12. 8:10 PM Future Forward Presentation and Resolution of Endorsement of the Future Forward Economic Alliance's Regional Economic Growth Strategy – Barry Matherly

13. 8:40 PM Public Works Capital Project Report – Steve Gilbert

14. 8:50 PM Vacancies

15. 8:55 PM Appointments

16. 9:00 PM Calendar

17. 9:05 PM County Manager's Report

18. 9:10 PM County Commissioners' Report

19. 9:15 PM County Attorney's Report

20. 9:20 PM Other Business

Recess

Approval of Minutes – August 4, 2003: Chairman Cochrane presented the minutes of the August 4, 2003 meeting.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the minutes as presented.

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

LINCOLN COUNTY TAX DEPARTMENT
MOTOR VEHICLES

REQUEST FOR REFUNDS

PERIOD COVERED (June 19, 2003 - July 11, 2003)

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

NAME	YEAR	DIST	A/C#	AMOUNT
VT Inc. Tstee Wolt	2002	61	0143841	131.06

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

NAME	YEAR	DIST	A/C#	AMOUNT
Altfeder, Trude L.	2002	70	0150959	3.03
Burgin, Michael A.	2003	90	0100357	31.53
Caldwell, David R. & Terry	2002	60	0064361	44.07

Cattron, Gwen M.	2002	90	0154679	6.48
Chrysler Financial Corp.	2002	55	0078644	10.12
First Union National Bank	2002	60	0117675	45.50
Heller, Joe M.	2002	77	14908	4.02
Hurt, Gregory B.	2002	77	0122468	48.95
Koehler, Michael G.	2002	60	0128794	3.58
Monge, Manuel M.	2002	22	0110042	6.17
Welborn, Toby	2002	60	0150059	64.82
Werdein, Patricia M.	2002	22	0165626	16.28

		TOTAL	\$284.55
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NAME	YEAR	A/C NO	AMOUNT
Barger, William Jackson	2002	0164580	\$ 231.63
Blackburn, Michelle Burrell	2003/03	0125125	\$ 180.96
Danner, Harvey Lee	2002	0165824	\$ 215.06
Dingus, Ida Louise	2003	0167121	\$ 205.55
Foley, Patrick M.	2002	0155951	\$ 108.67
Grigg, Floyd Douglas	2002	0112851	\$ 164.38
Hancock, William Thomas	2002/03	0153694	\$ 246.64
Hinnant, James Wayne	2002	0166525	\$ 107.26
Julius Blum Inc.	2002	0065636	\$ 104.47
Lincolnton Pawn Shop Inc.	2003	0122509	\$ 105.04
Lopez, Christian Mora	2002	0119857	\$ 102.19
Mullis, Darlene Smith	2002	0166376	\$ 314.55
Neurock, Sherri Crowe	2003	0144563	\$ 145.60
Newcomb, Betsy Brantham	2003	0167364	\$ 112.57
Parker, Kenneth Wayne	2002	0068321	\$ 259.05
RCB Management Inc.	2002	0152352	\$ 655.61
Silva Masonry Inc.	2001/02	0158834	\$ 308.69
Stewart, George Dewey	2002	0106297	\$ 208.51
Tallent, Randy Dean	2003	0128632	\$ 124.99
Wall, Donna Welch	2003	0130013	\$ 134.16
Williams, Regina Ann	2002	0165076	\$ 147.27
		TOTAL	\$ 4,182.85

NAME	YEAR	A/C NO	AMOUNT
Adams, Joseph Maurice	2003	0077448	\$ 426.49
Alltel Mobile Communications	2000	0113803	\$ 405.82
American Tower LP	2003	0165909	\$ 1,311.94
Aronwitz, Jules	2003	0157106	\$ 262.04
Ball, John Roy (Heirs of)	2002/03	0072451	\$ 165.08
Barker, Berley Laney	2003	0155252	\$ 635.58
Beck, Robert Lee	2002	0142426	\$ 152.93
Boggess, Beth A.	2003	0157827	\$ 104.56
Burroughs, Roger	2002	0163116	\$ 247.15
Carpenter, Claude R.	2003	04570	\$ 8,895.60
Carter, Harold J.	2003	0161823	\$ 155.88

Chapman, Claude J.	2000-02	49510	\$ 120.80
Christeler, Mark Enz	2003	0063779	\$ 172.49
Cline, Louise L.	2003	0156692	\$13,583.72
Costner, Archie Dean	2003	0101777	\$ 439.51
Cowans Ford Country Club	2000-02	24666	\$ 719.28
Crowder, Lula Mae (Heirs of)	2002	01787	\$ 501.29
Crump, Johnny Steven	2003	0097169	\$ 165.03
Davis, Ola Mae	2003	0159209	\$ 134.00
Durham, Lisa	2003	0166003	\$ 136.29
Foothills Landscaping	2003	0155364	\$ 368.50
Friedland, Stanley Franklin	2003	0076768	\$ 184.46
Gardner, Barbara T. (Heirs of)	2000-02	0061977	\$ 335.97
Garrett, Janet	2003	19377	\$ 268.50
Georgia Pinewood LLC	2003	0149191	\$ 1,380.00
Harris, Robert Sr.	2000-02	0115646	\$ 266.30
Hinson, Pauline Foxwell	2003	0128260	\$ 175.51
Hoyle, Crystal Gail	2000-03	0130462	\$ 603.29
Hunter, Denise	2003	0166831	\$ 179.66
Keene, Timothy	2003	0163144	\$ 118.08
Kelley Contracting Serv.	2002	0148061	\$ 360.25
Lackey, Sally C.	2002/03	0109669	\$ 325.71
Linco Inc.	2003	0127646	\$ 302.64
Love, Edgar III	2003	0108063	\$ 734.36
Malcolm, Mark David	2001-03	0109065	\$ 109.72
Mayberry, Vernon Scott	2003	0122225	\$ 108.42
McGinnis, Judson B.	2003	16975	\$ 1,533.67
McSwain, Wesley	2003	0162387	\$ 994.63
Mickey, Robert Ray	2003	20504	\$ 253.87
Mill Shoals Hydro	2002	0158522	\$ 4,172.90
Monroe, Michael	2002	0154601	\$ 121.40
Newton, Corene	2003	10555	\$ 173.03
Nix, Ronnie E. Jr.	2002/03	0110399	\$ 269.78
Nixon, Ben D.	2003	0126749	\$ 125.44
North Brook Well Boring Co.	2002/03	0121083	\$ 116.88
Nunn, James Elliott	2003	012478	\$ 292.79
Orlando Sanford Aircraft Sales	2002	0162440	\$ 737.00
Phillips, William M.	2003	0131911	\$ 150.88
Radius Motor Sports	2003	0061575	\$ 437.19
Red, Marion Lane Jr.	2003	28726	\$ 167.44
Reiser Enterprises Inc.	2003	0087561	\$ 310.85
Roberts, Thomas Allen	2002	0113226	\$ 147.40
Sain, Terry Landscaping	2003	0140582	\$ 529.32
Steinwedel, Norbert	2003	0166902	\$ 502.50
Turner, Jeff S. & others	2003	0162652	\$ 643.19
Unique Transportation	2003	0155490	\$ 223.63

Wallace, Williams S. (Heirs)	2001/02	0118027	\$ 116.16
Willow Brook Homes Inc.	2003	0148126	\$ 132.59
Winchell, Kira Ann	2000-03	0135193	\$ 234.14
Wood, Marie	2002	0136847	\$ 557.30
Yoder, Doris C.	2003	0161325	\$ 4,790.06
Yother, Herman B. (Heirs of)	1994-97	29443	\$ 259.31
Young Brothers Inc.	2003	0142335	\$ 451.00
Young, Bryan	2003	0166924	\$ 170.38
		TOTAL	\$53,171.58

NAME	YEAR	A/C NO	AMOUNT
Aderholt, Susan Crump	2002	0155719	\$ 39.75
Allen, Roger D.	2002	39615	\$ 39.50
Almost Truckin Inc	2002	0133703	\$ 2.35
Arreola, Francisco	2003	0145091	\$ 31.25
Barrett, Brian Alexander	2001	0125068	\$ 25.33
Beal, Kimberly Metts	2003	0103931	\$ 31.22
Beam, Roy A.	2003	00816	\$ 33.71
Beard, Marty Len	2003	0112635	\$ 70.66
Beaver, J. C.	2002	06164	\$ 10.62
Bryant, Thomas Ray	2003	0106914	\$ 3.56
Canipe, Billy Joe	2003	04519	\$ 47.66
Cardwell, Mark A.	2002	0141182	\$ 16.71
Carolina Cross Connection	2003	0074605	\$ 7.79
Carpenter, Charles Edgar	2002	0145369	\$ 30.07
Carpenter, Donnie Chris	2002	11583	\$ 3.71
Carter, Joseph Ryan	2002	0166405	\$ 3.90
Cates, Scott Allen	2002	0149998	\$ 18.76
Claar, Rodney Blaine	2002	0126562	\$ 15.02
Corella, Castro Jorge E.	2001	0153601	\$ 5.69
Cummings, John Wayne	2003	0153872	\$ 79.97
Cuthbertson, William Herron	2002	0086153	\$ 40.61
Debrunce, Vivian Virginia	2003	0144676	\$ 34.15
Eastin, Rhonda Smith	2002	0077690	\$ 7.29
Eurey, Betty Maynor	2002	0153660	\$ 4.15
Funderburk, Randy Neil	2000	0147006	\$ 44.20
Garofalo, Frank Stanley	2002	0081625	\$ 22.91
Godfrey, Bonnie Robert	2003	41089	\$ 48.68
Goode, James L.	2003	04081	\$ 29.09
Greene, Donald Gene	2002	0127497	\$ 4.69
Greene, Marie Phillips	2002	0157489	\$ 37.65
Hallman, Hugh Harvey III	2001	0109430	\$ 77.48
Halubka, Theodore Daniel	2002	0166746	\$ 37.52
Harczuk, Maryann Rose	2003	0167212	\$ 5.86
Haven Home Construction Inc.	2003	0146792	\$ 30.03
Heafner, William David	2003	0102165	\$ 65.01

Heffner, Lindsay Rebecca	2002	0151621	\$ 10.33
Heglar, Everette Jerome Jr.	2003	0076382	\$ 19.61
Helms, Helen B.	2003	14927	\$ 19.09
Helms, Jesse C.	2002	0116126	\$ 20.31
Helms, Ronnie Lawrence	2002	0065515	\$ 4.29
Hernandez, Inez J.	2003	0125360	\$ 2.23
Herndon, Roger C.	2002	43512	\$ 9.47
Herrera-Vazquez, Lorena	2002	0148455	\$ 3.15
Hester, Vertie Michael	2002	0139068	\$ 16.46
Honaker, Kevin Lee	2002	0166501	\$ 13.81
Horton, Heidi Dula	2002	0146496	\$ 46.74
Huffman, Richard Scott	2003	0157634	\$ 12.01
Huitt, Kip Rudisill	2002	0166546	\$ 54.62
Hull, Anthony Chad	2003	02877	\$ 59.51
Hull, Mark Lynn	2003	0167200	\$ 4.09
Jarrett, Vada Ann	2002	0089953	\$ 18.33
Johnny's Rod Shop	2002	0064361	\$ 22.33
Johnson, Barbara Nothstein	2002	0140712	\$ 4.15
Kane, Gary Lee	2002	0151671	\$ 21.04
Kaufman, Michael Alan	2003	0167285	\$ 24.67
Kirkland, Kathryn Renee	2002	0102755	\$ 54.68
Ledbetter, Harvey Darrell	2003	0145178	\$ 33.92
Ledford, Delores P.	2003	0142537	\$ 14.32
Leonard, Burton Leroy Sr.	2002	10194	\$ 20.13
Leonhardt, Keith Franklin	2003	0159777	\$ 52.76
Lindsey, Melinda Halley	2002	0089901	\$ 41.65
Lineberger, Ronald	2002	10457	\$ 26.78
Loomis, Robin Lynn	2003	0167072	\$ 2.56
Lopez, Christian Mora	2002	0119857	\$ 32.10
Love, Doris Dean	2002	0143426	\$ 78.00
Lusk, Leroy Elza	2003	0144562	\$ 72.82
Lynn, Wayne Richard	2003	0111507	\$ 89.35
Martin, Kenny R.	2003	0126732	\$ 1.58
Mason, Sandra Downs	2003	0103384	\$ 54.95
Mauney, Robert Andrew II	2003	0121739	\$ 21.67
Mayfield, Margaret Beam	2002	0099004	\$ 59.60
McCarthy, Michael Blair	2002/03	0106370	\$ 39.27
McCimore, Cynthia Renee	2002	0164458	\$ 22.87
McCroskey, Don	2003	0146622	\$ 20.82
McGinnis, Bobby Delano	2003	0093886	\$ 33.63
McLean, Elijah Calvin	2003	0100436	\$ 2.35
Melesh, Edward Joseph	2003	0167297	\$ 30.48
Mente, Jason Daniel	2002	0105526	\$ 5.29
Miller, John Edward	2002	0154198	\$ 74.05
Mora, Roger Gutierrez	2002	0131444	\$ 30.56

Morris, Alan Kenneth	2002	0076200	\$ 30.53
Motz, Troy Allen	2002	0121157	\$ 1.36
Orndorff, Douglas Wilds	2002	0158204	\$ 15.54
Pagel, John F.	2002	0138140	\$ 7.58
Parker, Theodore C.	2003	13524	\$ 43.89
Pasour, Myra Houk	2003	0167161	\$ 55.93
Peppers, Julie Rebecca	1997	0117638	\$ 14.71
Pressley, Kristina Hazelton	2003	0152073	\$ 10.88
Pries, Edward Joseph	2002	0106832	\$ 18.66
Propst, Edward Russell Jr.	2003	20462	\$ 14.83
Reece, James Kevin	2003	0165011	\$ 60.37
Reeves, Kenneth Lee	2002	0101516	\$ 5.34
Reid, Marvin Leatherman	2002	0159784	\$ 82.66
Riley, Thomas Fitzgerald	2002	0119942	\$ 15.71
Rodriguez, Leopoldo	2002	0103623	\$ 16.28
Rogers, Phillip Larry	2002	0141918	\$ 55.27
Ruffin, Homer Calvin Jr.	2003	0152608	\$ 79.70
Sain, Christie Reinhardt	2002	0070486	\$ 32.00
Sanders, Thomas Harold	2003	0067493	\$ 9.06
Schneider, Robert M.	2002	19141	\$ 23.52
Seipel, Joyce Buchanan	2003	0073815	\$ 70.24
Self, Sheila B.	2002	0155771	\$ 63.39
Seller, Rita	2002	33406	\$ 4.32
Sener, Gina Cornwell	2002	0114486	\$ 7.66
Shuford, John Oscar Jr.	2003	0067067	\$ 64.60
Sisk, Lisa Ann	2003	0158049	\$ 75.99
Smith, Stephen Shawn	2002	0079922	\$ 6.84
Spencer, Daries Eugene	2003	0070751	\$ 59.00
Stamey, Christy Louetta	2002	0158987	\$ 62.14
Stamper, Christopher Dean	2003	0131490	\$ 45.22
Townsley, Michael D.	2002	0103933	\$ 2.45
Tri Sword Holdings LLC	2003	0148599	\$ 94.34
Vargas, Deniamaria R.	2003	0142255	\$ 34.50
Ward, Boyd H.	2003	14751	\$ 43.38
Warlick, John Robert	2003	0167346	\$ 46.51
Watson, James H.	2003	21745	\$ 8.93
Weiler Corp.	2003	0149591	\$ 84.63
Welsh, Manfred	2003	09682	\$ 71.16
Wilder, Lacolia D.	2002	0146913	\$ 26.43
Wolf, Heather Lehmann	2002	0144652	\$ 51.75
		TOTAL	\$3,826.28
Aiken, Randy	2003	0139238	\$ 27.68
Abernathy, Julia B.	2003	0114096	\$ 67.00
Anderson, Roy L.	2003	0145528	\$ 69.00
Ballard, Byron Randall	2003	05631	\$ 58.22

Belton, Robert Daniel	2003	0149671	\$	16.70
Black, Thomas Dean (Heirs of)	2003	37026	\$	7.37
Brown, Charles B. Jr.	2002	19562	\$	69.00
Burgess Sales & Supply	2003	0148266	\$	66.01
C & M Land Company	2003	0151868	\$	14.96
Carter, Brandon	2002	0161830	\$	2.27
Chavez, Felix	2003	0148207	\$	58.05
Cook, Earl Day	2003	0073424	\$	4.25
Dewar, Jeff	2003	0154551	\$	69.45
Faulkner, James Arnold	2003	18721	\$	7.37
Finishing Touch The	2003	0163215	\$	73.70
Helton, Alvie	2002	0110959	\$	56.18
Hester, Lester William	2002	15297	\$	12.48
Hilton, Jimmy Gilbert Jr.	2003	0064011	\$	2.21
Hohm, Greg	2001-03	0154578	\$	29.99
Icard, Barry Scott	2003	0090685	\$	3.54
Luckey, Winnie Sherrill	2003	20010	\$	2.22
Lunceford, Charlie Shelton	2003	0072994	\$	3.35
Martin, Kenny R.	2003	0166872	\$	3.31
Monroe, Carlos R.	2001/02	38508	\$	4.42
Montgomery, Steve	2001-03	0130767	\$	6.81
Morrison, Tony	2002/03	32662	\$	40.36
Mosteller, Dale Richard	2003	09202	\$	24.44
Newell, David	2000-03	31655	\$	50.54
Osborne, Thomas C.	2003	0152511	\$	69.00
Owens, Willie Boyd	2003	0163401	\$	5.52
Pierce, Doloris R.	2003	20106	\$	57.20
Ramsey, Evelyn C.	2003	0162608	\$	69.00
Reynolds, Tracy Andrew	2003	0127626	\$	70.39
Rhodes, Phillip S.	2003	09053	\$	67.18
Robinson W F Distributing Co.	2003	0133212	\$	26.91
Rose, Janis A.	2003	0153459	\$	40.05
Rushing, Scott Alan	2002	0121702	\$	69.58
Sanders, Tina M.	1998-02	08368	\$	64.47
Seagle, Roger Dale	2003	0136350	\$	8.34
Sigmon, Harold Dean	2003	0150308	\$	29.69
Silver Flamingo	2003	0163425	\$	73.70
Smith, Junior Lee	2003	0075216	\$	89.11
Stallings, Allen	2003	0134911	\$	88.37
Stallings, Robert Page	2002	0154676	\$	87.49
Stalnaker, Stephen R.	2003	0088330	\$	7.37
Stikeleather, Terry Lee	2003	0071300	\$	9.88
Taylor, Richard	2002	0154685	\$	82.98
Walters, Audra H.	2002	0067396	\$	56.16

Warlick, John R.	2003	0129327	\$ 36.11
Watts, Marlene G.	2003	0061491	\$ 63.14
White, Stan Lee	2003	21952	\$ 15.75
Whitten, Linda H.	2003	0154808	\$ 69.00
Wilkinson, Kevin D.	2003	0061569	\$ 6.01
Williamson, Christine Jobin	2003	0102187	\$ 46.37
Willis, Shane R.	2003	01852	\$ 15.71
Wright Bros. Tomato Co.	2003	26375	\$ 69.00
Wright, Clarence & Brenda S.	2003	04106	\$ 11.73

**PROCLAMATION PROCLAIMING THE MONTH OF SEPTEMBER 2003 AS
ALCOHOL AND DRUG ADDICTION RECOVERY MONTH IN LINCOLN COUNTY**

WHEREAS, a substance abuse involving alcohol, illegal drugs, and abuse of legal prescriptions, is a public health problem that affects millions of people, including children as young as newborns and adults of all ages, all races and socioeconomic levels;

WHEREAS, substance abuse in all its forms can destroy families, victimize individuals and communities, suffocate the education, criminal justice and human service systems, and impose devastating financial and social burdens on our society;

WHEREAS, Pathways is dedicated to providing the highest quality intervention, education, treatment and aftercare services to those who suffer from the effects of substance abuse, as we have since 1963;

WHEREAS, Pathways served 4,029 residents of Gaston, Lincoln, and Cleveland counties in 2002-2003 through our adult and child substance abuse services;

WHEREAS, Pathway is committed to providing the highest quality of prevention and education services to adults and children in an effort to prevent substance abuse and to help break the cycle of drug and alcohol addiction that devastates so many families.

NOW, THEREFORE, WE THE LINCOLN COUNTY BOARD OF COMMISSIONERS, proclaim the month of September 2003 as ALCOHOL and DRUG ADDICTION RECOVERY MONTH in Lincoln County, in coordination with the Nation Alcohol and Drug Addiction Recovery Month Program.

FURTHERMORE, we call up on Lincoln County citizens and organizations to acquaint themselves with the many services provided through Pathways.

Adopted this the 18th day of August, 2003.

Jerry W. Cochrane, Chairman

ATTEST:

Amy S. Long, Clerk to the Board

Budget Adjustment No. 3 by Finance for encumbrance of final payroll and benefits for year ending June 2003.

Budget Adjustment No. 4 by Emergency Management to increase revenues and expenditures for DOJ Equipment Grant.

Budget Adjustment No. 5 by Finance to carry over the balance of CIP fund accounts.

Budget Adjustment No. 6 by Finance to budget funds for Community development project previously approved.

Budget Adjustment No. 7 by Historical Properties to encumber unexpended amount of Historical Properties Contract funds to establish CIP account for Historical Capital Projects.

Budget Adjustment No. 8 for Economic Development to carry over funds for water line in Finger Mill Industrial Park approved March 3, 2003.

Budget Adjustment No. 9 by Emergency Management – Duke to carry over unexpended balance of Duke Power discretionary funds for Emergency Management.

Budget Adjustment No. 10 by Finance to carry over encumbered balance for repairs of Cultural Center roof.

Budget Adjustment No. 11 for Library to carry over balances of Library gift accounts from previous year.

Budget Adjustment No. 12 by the Sheriff's Department for an insurance payment received late in the prior year. Repair work not completed and paid for until current year.

Budget Adjustment No. 13 by the Finance for Economic Development to allocate Department of Transportation funds to construct a road at the industrial park. Funds going through County to Economic Development Association.

Budget Adjustment No. 14 by the Sheriff's Department to cover 25% of required costs of 2 patrol cars with bar lights, radios, etc. Budgeted in previous year, but was never purchased. (Fed govt., through State, to reimburse 75% of costs of Hwy 321 grant) Note – Unspent funds left in 11-4310-5540 last year and vehicles ordered last year).

Budget Adjustment No. 15 for the Sheriff's Department to carry forward unspent amount of 2002 LLEBG Funds to be used to buy security cameras at Lincoln County Courthouse.

Waived Fees for Auditorium

- American Legion Medal of Honor Banquet

- Miss Lincoln County Apple Queen Scholarship Pageant

Partial Release of Cash Bond for Paradise Cove, LOC #27

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

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

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

Zoning Map Amendment No. 461 – Lake Norman Dredging & Marine

Construction, Inc., applicant: Randy Hawkins, Zoning Administrator, stated that the applicant has withdrawn this request and will reapply a rezoning for general business to develop the property as offices and possibly mini warehouses.

Commissioner Anderson asked that the residents get adequate notice and have a clear understanding of what is being proposed for the property.

Zoning Map Amendment No. 462 – Carroll Mitchem, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to excuse Commissioner Carroll Mitchem from voting on Zoning Map Amendment No. 462.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to accept the recommendation of the Planning Board and approve the requested rezoning under Zoning Map Amendment No. 462 – Carroll Mitchem, applicant.

Parallel Conditional Use Rezoning No. 95 – Bret Conway, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval.

Application # PCUR #95 Date 08/18/03

Applicant's Name Bret Conway
 3684 Delling Downs Dr.
 Denver, NC 28037

Property location: Lee Lawing Road

Existing Zoning: R-SF

Proposed Conditional Use Machine shop in B-G district

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Wastewater to be recycled, no contamination of groundwater.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Applicant's plan meets all regulations.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Boundaries around facility, photos of property.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES NO
Factual Reasons Cited: Building's location won't devalue applicant's house.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve Parallel Conditional Use Permit No. 95 based on the Planning Board's finding of fact and the conditional use.

Parallel Conditional Use Rezoning No. 96 – Michael Maldonado, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 2 to recommend approval.

Application # PCUR #96 Date 08/18/03

Applicant's Name Michael Maldonado
6544 Fairview School Road
Vale, NC 28168

Property location: 6544 Fairview School Road

Existing Zoning: R-SF

Proposed Conditional Use Auto repair and auto body shop in R-R district

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Applicant's plan, garage not located close to other property.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Size of garage meets regulations.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Appearance of applicant's house, distance to other property.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES NO
Factual Reasons Cited: Garage attached to house by breezeway, doesn't look like commercial property, other property considerable distance away.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve Parallel Conditional Use Permit No. 96 – Michael Maldonado, applicant, based on the findings of fact, concurring with the Planning Board.

Conditional Use Permit No. 220 – Fleetwood Homes, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 - 0 to recommend approval.

Application # CUP #220 Date 08/18/03

Property location: Dawnview Trail

Existing Zoning: R-S

Proposed Conditional Use Class B mobile home

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES X NO
Factual Reasons Cited: Obscure location, difference in roof pitch not noticeable.
2. The use meets all required conditions and specifications. YES X NO
Factual Reasons Cited: Location, difference in roof pitch.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES X NO
Factual Reasons Cited: $\frac{1}{2}$ inch/one foot difference in rise of roof.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES X NO

Factual Reasons Cited: Surrounding property.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to accept the Planning Board's recommendation and findings of fact, approving Conditional Use Permit No. 220 – Fleetwood Homes, applicant.

Conditional Use Permit No. 221 – Bill Stamey, Jr., applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval.

Application # CUP #221 Date 08/18/03

Applicant's Name Bill Stamey, Jr.
 1855 Bill Lynch Road
 Lincolnton, NC 28092

Property location: Bill Lynch Road

Existing Zoning: R-S

Proposed Conditional Use Class C mobile home

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Only moving mobile home 150 yards.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Meets Lincoln County specs.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Trailer already located in area, surrounding area has trailers.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES NO
Factual Reasons Cited: Area it's located in.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to accept the Planning Board's recommendation and concur with the findings as submitted by the Planning Board.

Conditional Use Permit No. 222 – Kevin Mauney, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval.

Application # CUP #222

Date 08/18/03

Applicant's Name Kevin Mauney
7074 Ed Willis Road
Vale, NC 28168

Property location: Ed Willis Road

Existing Zoning: R-S

Proposed Conditional Use Class E mobile home

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO
Factual Reasons Cited: Will have to meet safety requirements.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Meets Lincoln County requirements.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO
Factual Reasons Cited: Located in middle of parcel owned by applicant.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.
YES NO
Factual Reasons Cited: Manufactured homes located across road.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve Conditional Use Permit No. 222 – Kevin Mauney, applicant, based on the Planning Board's recommendations and findings of fact.

There was a discussion concerning sending letters to more property owners, sending out notices sooner, and sending out lists of what uses are allowed in each zoning district. They asked staff to take this to the Planning Board for a recommendation.

Resolution to Apply for 2003 Local Law Enforcement Block Grant: Doug Norwood stated that the money from this grant will be used for security cameras at the Courthouse.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Resolution to Apply for the 2003 Local Law Enforcement Block Grant.

Resolution to Apply for 2003 Local Law Enforcement Black Grant

WHEREAS, Lincoln County is open to investigating certain government grants that the County could potentially receive,

WHEREAS, the Local Law Enforcement Block Grant (LLEBG) must be spent in accordance with one or more of the seven “purpose areas”, including “enhancing security measures....in and around other facilities or locations that the unit of government considers special risks for incidents of crime”,

WHEREAS, Lincoln County has received the LLEBG in recent years with the knowledge that a 10% County match is required and that by applying for this grant the County is under no obligation to later accept the grant,

WHEREAS, the County has used the LLEBG in the past to help purchase security equipment at various locations in the County that the County considers as special risks for incidents of crime,

WHEREAS, the 2003 LLEBG would provide the County \$14,333, and would require a County match of \$1593,

THEREFORE BE IT RESOLVED, That Lincoln County shall apply for the 2003 LLEBG.

Adopted this the 18th day of August, 2003.

Jerry W. Cochrane, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long, Clerk to the Board

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to set a public hearing for September 22 at 7:30 p.m. for the LLEBG Grant.

A regular meeting of the Board of Commissioners for the County of Lincoln, North Carolina, was held at the Lincoln County Citizens Center, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting, on August 18, 2003, at 6:30 P.M.

Present: Chairman Jerry W. Cochrane, presiding, and Commissioners Anderson, Funderburk and Mitchem.

Absent: Commissioner Craig.

Also present: Stan Kiser, County Manager, Leon Harmon, Finance Director, Jeffrey A. Taylor, County Attorney, and Amy S. Long, Clerk to the Board of Commissioners.

* * * * *

The Chairman announced that this was the hour and day fixed by the Board of Commissioners for the public hearing upon the proposed financing, pursuant to an installment financing agreement, to be dated as of September 15, 2003 (the "Installment Financing Agreement") between the County of Lincoln, North Carolina (the "County") and a North Carolina nonprofit corporation (the "Corporation") to be created, of the completion of the construction of the new North Lincoln High School (the "Project") and proposed refinancing of the County's payment obligations under the (i) Installment Financing Contract, dated as of December 28, 1995, among First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), the County and First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), Corporate Trust Department, as supplemented by Supplement No. 1 to Schedule A of Real Property and Facilities, dated as of December 30, 1997, among the same parties, (ii) Financing Agreement and Deed of Trust, dated as of May 31, 2000, granted by the County to F. Louis Loyd, III, trustee for the benefit of Branch Banking and Trust Company, (iii) Installment Financing Agreement (2001 Shopping Center Project), dated as of June 15, 2001, between the County and Bank of America, N.A., and (iv) Installment Financing Agreement, made and entered into as of January 31, 2003, between the County and First Charter Bank (collectively, the "Prior Financing Agreements") in order to achieve debt service savings, and that the Board of Commissioners would hear anyone who may wish to be heard with respect to the Installment Financing Agreement.

As a matter of information, the Finance Director of the County described the proposed refinancing and the nature of the completion of the Project and the installment payments to be made by the County under the Installment Financing Agreement for such purposes.

No one appeared, either in person or by attorney, to be heard with respect to the Installment Financing Agreement and the Clerk to the Board of Commissioners announced that no written statement relating to said matter had been received.

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

**RESOLUTION MAKING CERTAIN FINDINGS RELATING TO THE FINANCING OF A
PUBLIC SCHOOL PROJECT AND THE REFINANCING
OF LINCOLN COUNTY'S PAYMENT OBLIGATIONS UNDER VARIOUS
PRIOR FINANCING AGREEMENTS
PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT,
AND AUTHORIZING FINANCE DIRECTOR TO FILE APPLICATION FOR
APPROVAL THEREOF BY LOCAL GOVERNMENT COMMISSION
BE IT RESOLVED** by the Board of Commissioners for the County of Lincoln, North

Carolina:

Section 1. The Board of Commissioners does hereby find, determine and declare as follows:

(a) The County proposes to finance the completion of the new North Lincoln High School (the "Project") and refinance its payment obligations under the (i) Installment Financing Contract, dated as of December 28, 1995, among First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), the County and First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), Corporate Trust Department, as supplemented by Supplement No. 1 to Schedule A of Real Property and Facilities, dated as of December 30, 1997, among the same parties, (ii) Financing Agreement and Deed of Trust, dated as of May 31, 2000, granted by the County to F. Louis Loyd, III, trustee for the benefit of Branch Banking and Trust Company, (iii) Installment Financing Agreement (2001 Shopping Center Project), dated as of June 15, 2001, between the County and Bank of America, N.A., and (iv) Installment Financing Agreement, made and entered into as of January 31, 2003, between the County and First Charter Bank (collectively, the "Prior Financing Agreements"),

pursuant to an installment financing agreement, to be dated as of September 15, 2003 (the "Installment Financing Agreement"), and the County will make Installment Payments (as defined in the Installment Financing Agreement) in amounts sufficient to pay the principal of and interest on the Certificates of Participation (Lincoln County Public Facilities Projects), Series 2003 (the "2003 Certificates") to be executed and delivered by the Corporation to finance the Project and refinance such outstanding payment obligations, it being the express intention of the Board of Commissioners that only the principal amount of the 2003 Certificates necessary to accomplish the purposes stated in the Installment Financing Agreement will be issued (estimated not to exceed \$15,000,000 principal amount).

(b) The Project is necessary in order to provide public school facilities essential to the administration of the government of the County and the public health, safety and welfare of its citizens.

(c) Based on advice from the County's investment banker as to current tax-exempt interest rates, the sums to fall due under the Installment Financing Agreement are not excessive for its stated purposes; moreover, the estimated cost of the Project is not excessive.

(d) The County Attorney has rendered an opinion that the proposed undertakings are authorized by law and are purposes for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(e) The Installment Financing Agreement, under the circumstances presently obtaining, is preferable to a general obligation bond issue for this purpose. The County's current fund balance is, in light of other requirements and prudent fiscal management, insufficient to fund the entire cost of the Project and refinance its payment obligations under the Prior Financing Agreements, the County does not have the ability to issue sufficient non-voted bonds under the provisions of Article V, Sec. 4 of the North Carolina Constitution for the purposes of completing the Project and refinancing such outstanding payment obligations, and voting general obligation bonds for these purposes will result in unacceptable delay and additional cost to the County.

(f) The estimated cost of financing the Project and refinancing the County's outstanding payment obligations pursuant to the Installment Financing Agreement compares reasonably and favorably with an estimate of similar cost for general obligation bond financing therefor. The primary difference in cost results from higher issuance costs, but this amount is insignificant when compared to the total cost of financing the Project and refinancing such payment obligations.

(g) The debt management policies of the County have been carried out in strict compliance with law, including the filing of all required audits and reports with the Local Government Commission, and the County is within its statutory debt limit and is not in default with respect to any of its outstanding indebtedness.

(h) The County estimates that no increase in the property tax rate will be required to raise sums to pay the estimated debt service to fall due under the Installment Financing Agreement for all of its stated purposes.

(i) The County has made timely payment of all sums owed by it with respect to the payment of principal of and interest on all of its outstanding debt obligations and has received no notice from the Local Government Commission or any holder concerning the County's failure to make any required payment of debt service.

Section 2. The Local Government Commission (the "LGC") is hereby requested to approve the proposed Installment Financing Agreement pursuant to the provisions of Article 8 of Chapter 159 of the General Statutes of North Carolina, and the Finance Director is directed to complete all applications and execute all documents required in connection with obtaining such approval.

Section 3. The LGC is hereby requested to approve the selection of the following professionals who comprise the financing team, and such other professionals as may be required or useful and acceptable to the LGC, to assist the County in connection with such financing:

Special Counsel

Sidley Austin Brown & Wood LLP

Underwriter	Davenport & Company LLC
Underwriter's Counsel	Parker Poe Adams & Bernstein LLP
Trustee	First-Citizens Bank & Trust Company
Corporation Counsel	The Jonas Law Firm, P.L.L.C.

Section 4. All actions heretofore taken by the Finance Director in connection with the Installment Financing Agreement and the 2003 Certificates, including filing the application with the Local Government Commission, retaining bond counsel and selecting investment bankers and a trustee, are hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Funderburk, seconded by Commissioner Mitchem, the foregoing resolution entitled: "RESOLUTION MAKING CERTAIN FINDINGS RELATING TO THE FINANCING OF A PUBLIC SCHOOL PROJECT AND THE REFINANCING OF LINCOLN COUNTY'S PAYMENT OBLIGATIONS UNDER VARIOUS PRIOR FINANCING AGREEMENTS PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT, AND AUTHORIZING FINANCE DIRECTOR TO FILE APPLICATION FOR APPROVAL THEREOF BY LOCAL GOVERNMENT COMMISSION" was passed by the following vote:

Ayes: Commissioners Cochrane, Anderson, Funderburk and Mitchem.

Noes: none.

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

RESOLUTION APPROVING THE SALE BY LINCOLN COUNTY PUBLIC FACILITIES CORPORATION OF CERTIFICATES OF PARTICIPATION IN CERTAIN

INSTALLMENT PAYMENTS TO BE MADE BY THE
COUNTY OF LINCOLN, NORTH CAROLINA, APPROVING
A PROPOSED INSTALLMENT FINANCING AGREEMENT
TO FINANCE A PUBLIC SCHOOL PROJECT AND
REFINANCE THE COUNTY'S PAYMENT OBLIGATIONS
UNDER VARIOUS PRIOR FINANCING AGREEMENTS,
APPROVING CERTAIN OTHER DOCUMENTS AND
ACTIONS RELATING THERETO AND AUTHORIZING
OTHER OFFICIAL ACTION IN CONNECTION
THEREWITH

WHEREAS, the County of Lincoln, North Carolina (the "County") has determined that it is necessary and expedient to finance the completion of the construction of the new North Lincoln High School (the "Project") and refinance its payment obligations under the (i) Installment Financing Contract, dated as of December 28, 1995, among First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), the County and First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), Corporate Trust Department, as supplemented by Supplement No. 1 to Schedule A of Real Property and Facilities, dated as of December 30, 1997, among the same parties, (ii) Financing Agreement and Deed of Trust, dated as of May 31, 2000, granted by the County to F. Louis Loyd, III, trustee for the benefit of Branch Banking and Trust Company, (iii) Installment Financing Agreement (2001 Shopping Center Project), dated as of June 15, 2001, between the County and Bank of America, N.A., and (iv) Installment Financing Agreement, made and entered into as of January 31, 2003, between the County and First Charter Bank (collectively, the "Prior Financing Agreements"); and

WHEREAS, in order to effectuate such plans to finance the completion of the Project and refinance the County's payment obligations under the Prior Financing Agreements, the County and Lincoln County Public Facilities Corporation (the "Corporation") have been negotiating certain financing documents and arranging for the negotiated sale of Certificates of Participation in certain Installment Payments (as defined in the hereinafter defined Installment Financing Agreement) to be made by the County pursuant to an installment financing agreement, to be dated as of September 15, 2003 (the "Installment Financing Agreement"), between the Corporation and

the County, pursuant to the authority granted to the County under Section 160A-20 of the General Statutes of North Carolina; and

WHEREAS, the County has determined that it is in the best interests of the County that the County and the Corporation enter into said Installment Financing Agreement to make available to the County funds with which to finance the completion of the Project and refinance its payment obligations under the Prior Financing Agreements; and

WHEREAS, the County and the Corporation have retained an investment banker for the purpose of underwriting said Certificates of Participation; and

WHEREAS, said Certificates of Participation are expected to be marketed in the expectation of executing a Contract of Purchase with respect thereto on or about September 17, 2003 and delivering said Certificates of Participation on or about October 2, 2003; and

WHEREAS, in connection with such financing, it is necessary for the County to approve the sale of said Certificates of Participation by the Corporation, to approve certain other documents relating thereto and to authorize certain action in connection therewith; and

WHEREAS, there have been presented at this meeting copies of the following documents relating to the delivery of the 2003 Certificates (as hereinafter defined):

(a) a draft of the proposed Contract of Purchase for the 2003 Certificates (the "Contract of Purchase"), to be dated on or about September 17, 2003, between the Corporation and Davenport & Company LLC (the "Underwriter"), relating to the purchase and sale by the Underwriter of the 2003 Certificates;

(b) a draft of the proposed Installment Financing Agreement, pursuant to which the Corporation will make available to the County funds to be derived from the sale of the 2003 Certificates with which to finance the completion of the Project and refinance the County's payment obligations under the Prior Financing Agreements, and the County will be obligated to make Installment Payments (as defined in the Installment Financing Agreement) and certain other payments, among other requirements;

(c) a draft of the proposed Trust Agreement, to be dated as of September 15, 2003 (the “Trust Agreement”), by and between the Corporation and First-Citizens Bank & Trust Company, as trustee (the “Trustee”), under which the Trustee will make available to the County the proceeds of Certificates of Participation (Lincoln County Public Facilities Projects), Series 2003 evidencing proportionate and undivided ownership interests in the Installment Payments to be made by the County under the Installment Financing Agreement (the “2003 Certificates”) to pay the cost of completing the Project and refinancing the County’s payment obligations under the Prior Financing Agreements;

(d) a draft of the proposed Deed of Trust, to be dated as of October 2, 2003 (the “Deed of Trust”), from the County to a deed of trust trustee for the benefit of the Corporation;

(e) a draft of the Preliminary Official Statement (the “Preliminary Official Statement”), to be dated on or about September 4, 2003, relating to the offering of the 2003 Certificates; now, therefore,

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

Section 1. Capitalized words and terms used in this resolution and not defined herein shall have the same meanings in this resolution as such words and terms are given in the Trust Agreement and the Installment Financing Agreement.

Section 2. The County hereby approves the sale of the 2003 Certificates by the Corporation. The 2003 Certificates shall mature in such amounts and at such times and shall bear interest at such rates as shall be determined by the President of the Corporation; provided, however, that the aggregate principal amount of the 2003 Certificates shall not exceed \$15,000,000, the final maturity of the 2003 Certificates shall not extend beyond December 31, 2020, and the true interest cost of the 2003 Certificates shall not exceed 5% per annum.

The 2003 Certificates shall be issued in fully registered form in denominations of \$5,000 or any whole multiple thereof. Interest with respect to the 2003 Certificates shall be payable on

December 1, 2003 and thereafter semiannually on each June 1 and December 1 until the 2003 Certificates are fully paid. Payments of principal and interest with respect to the 2003 Certificates shall be made by the Trustee to the registered owners of the 2003 Certificates in the manner set forth in the Trust Agreement.

Section 3. The 2003 Certificates shall be subject to prepayment at the times, upon the terms and conditions, and at the prices set forth in the Trust Agreement; provided, however, that no prepayment premium shall exceed 2%.

Section 4. The proceeds of the 2003 Certificates shall be applied as provided in Section 2.05 of the Trust Agreement.

Section 5. The forms, terms and provisions of the Installment Financing Agreement, the Trust Agreement, the Deed of Trust and the Contract of Purchase are hereby approved in all respects, and the Chairman or Vice Chairman of the Board of Commissioners, the County Manager, the Finance Director, the Clerk to the Board of Commissioners and the County Attorney are hereby authorized and directed to execute and deliver the Installment Financing Agreement, the Deed of Trust and the Contract of Purchase, in substantially the forms presented to this meeting, together with such changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate, including, but not limited to, changes, modifications and deletions necessary to incorporate the final terms of the 2003 Certificates as shall be set forth in the Contract of Purchase; such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the County.

Section 6. The County hereby approves the award of the 2003 Certificates to the Underwriter pursuant to the Contract of Purchase, subject, however, to the limitation on true interest cost contained in Section 2.

Section 7. The County hereby authorizes the use and distribution of the Preliminary Official Statement in connection with the public offering of the 2003 Certificates, and the Official Statement, in substantially the form of the Preliminary Official Statement, with such changes as

are necessary to reflect the maturities, interest rates, prepayment premiums and initial offering prices of the 2003 Certificates, is hereby approved, and the Chairman or Vice Chairman of the Board of Commissioners, the County Manager or the Finance Director is hereby authorized to execute, on behalf of the County, the Official Statement in substantially such form, together with such changes, modifications and deletions as he, with the advice of counsel, may deem necessary or appropriate; such execution shall be conclusive evidence of the approval thereof by the County. The County hereby also approves and authorizes the distribution and use of copies of the Official Statement, the Trust Agreement, the Installment Financing Agreement, the Deed of Trust and the Contract of Purchase by the Underwriter in connection with the sale of the 2003 Certificates.

Section 8. The Chairman or Vice Chairman of the Board of Commissioners, the County Manager, the Finance Director, the County Attorney and the Clerk to the Board of Commissioners are authorized and directed (without limitation except as may be expressly set forth herein) to take such actions and to execute and deliver such documents, certificates, undertakings, agreements and other instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the Trust Agreement, the Installment Financing Agreement, the Deed of Trust and the Contract of Purchase.

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

After consideration of the foregoing resolution, Commissioner Funderburk moved the passage thereof, which motion was duly seconded by Commissioner Mitchem, and the foregoing resolution entitled: "RESOLUTION APPROVING THE SALE BY LINCOLN COUNTY PUBLIC FACILITIES CORPORATION OF CERTIFICATES OF PARTICIPATION IN CERTAIN INSTALLMENT PAYMENTS TO BE MADE BY THE COUNTY OF LINCOLN, NORTH CAROLINA, APPROVING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PUBLIC SCHOOL PROJECT AND REFINANCE THE COUNTY'S PAYMENT OBLIGATIONS UNDER VARIOUS PRIOR FINANCING

AGREEMENTS, APPROVING CERTAIN OTHER DOCUMENTS AND ACTIONS RELATING THERETO AND AUTHORIZING OTHER OFFICIAL ACTION IN CONNECTION THEREWITH" was passed by the following vote:

Ayes: Commissioners Cochrane, Anderson, Funderburk and Mitchem.

Noes: none.

Madge Huffman presented the Board with the Land Use Assessment Values and stated that a public hearing will be held on September 8 at 7:30 concerning these.

Reimbursement Resolution: UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Reimbursement Resolution.

REIMBURSEMENT RESOLUTION

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LINCOLN, NORTH CAROLINA, (THE "ISSUER") DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, Lincoln County (the "Issuer") is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Issuer will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the construction of North Lincoln High School (the "Project"), as more fully described in Exhibit A attached hereto; and

WHEREAS, the Board of Commissioners for the County of Lincoln, North Carolina, (the "Board") has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds for one or more issues of tax-exempt financing (the "Financing");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of the COPS or Installment Financing for the Expenditures with respect to the Project made on and after August 18, 2003. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Financing.

Section 2. Each Expenditure will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case of the date of the

Expenditure), (b) a cost of issuance with respect to the financing, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer as long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the COPS or Installment Financing expected to be issued for the Project is \$2,700,000.

Section 4. The Issuer will make a reimbursement allocation which is a written allocation by the Issuer that evidences the Issuer's use of the proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimus amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 18th day of August, 2003.

Jerry W. Cochrane, Chairman
Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

EXHIBIT A

DESCRIPTION OF PROJECT

Capital Improvement Program - Construction of new North Lincoln High School along with the acquisition of equipment and furnishings necessary to provide a complete and furnished facility including the construction of a sanitary sewer line and associated pumps to connect the school to public sewer service.

Contract Amendment – Water Plant Expansion – Preparation of Environmental Assessment:

Steve Gilbert stated that on September 9, 2002, a contract amendment was approved with WK Dickson & Co., Inc., to proceed with preparation of construction plans and contract documents for the expansion of the Lincoln County Water Treatment Plant from 3.0 MGD to 6.0 MGD. The original contract was approved on August 5, 2002. This amendment represented an increase in their scope of services from the original contract, which not only included the expansion of the filtration capacity at the plant, and the total fee was increased from \$57,500.00 to \$139,200.00.

Dickson has now received plan review comments from NCDENR, and the state is requiring the preparation of an Environmental Assessment to determine the impact of the proposed expansion on the environment. Dickson has reviewed proposals from environmental consultants who specialize in this type of work, and they are recommending the Assessment be prepared by Robert Goldstein & Associates, of Raleigh. The total compensation for preparation of this Assessment will be \$33,376.45, and for no additional cost it will also address the impact of the new water line and water tank that is contemplated along NC 73.

Commissioner Anderson asked Steve Gilbert and WK Dickson to convey with the State the Board's displeasure with this request and send a copy of a letter stating this to the legislative delegation.

Finance Officer's Report: Leon Harmon, Finance Officer, presented the budget performance reports for June and July, 2003.

Public Hearing – Schedule of Values: Chairman Cochrane opened the public hearing concerning the Schedule of Values.

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

UPON MOTION by Commissioner Anderson, the Board voted unanimously to set September 8, 2003 at 7:30 p.m. for the public hearing for the Land Use Schedule.

Proposed Amendment to Rules of Procedure: Chairman Cochrane presented the following proposed amendment to the Rules of Procedure.

Rule 9, Agenda, would be amended to add a subsection (d) as follows:

(d) Notwithstanding the foregoing provisions of this rule, any item involving an expenditure in excess of \$1,000 shall not be considered at a meeting unless it is placed on the printed agenda in advance of the meeting, except in the following instances: (1) emergencies that make advance notice impossible or impractical; (2) impending deadlines or other factors which would result in increased cost to the county or delays in a project if not addressed immediately; (3) legal or other deadlines which make a response necessary prior to the date of the next scheduled meeting; or (4) issues on which the Board may need to give directions in closed session as provided in N. C. G. S. 143-318.11 and Rule 3 of these rules.

Any deviation from this rule shall require a motion to suspend this rule pursuant to Rule 20(b)4.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the amendment to the Rules of Procedure making \$1,000 the maximum expenditure.

Future Forward Presentation and Resolution of Endorsement of the Future

Forward Economic Alliance's Regional Economic Growth Strategy – Barry

Matherly: Barry Matherly gave a presentation on Future Forward Economic Alliance's Regional Economic Growth Strategy and presented the following Resolution for the Board's approval.

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

**RESOLUTION OF ENDORSEMENT
OF THE FUTURE FORWARD ECONOMIC ALLIANCE'S REGIONAL
ECONOMIC GROWTH STRATEGY**

WHEREAS, in our current global economy the “region” is the foundation of economic competitiveness and prosperity and therefore communities must work cooperatively to enhance a region’s wealth; and

WHEREAS, research demonstrates that western North Carolina is experiencing a transformation in which the region must take a proactive role to ensure it remains economically competitive; and

WHEREAS, the Future Forward Economic Alliance has prepared a Regional Economic Strategy to serve as a “road map” to guide communities in how best to take advantage of existing strengths and opportunities and to identify new opportunities as the region continues its economic transition; and

WHEREAS, all jurisdictions in the region have been invited to collaborate, recognizing that many of the initiatives will require broad participation to share resources, assets, leadership, and increase the scale, to maximize the impact on the region; and

WHEREAS, the implementation of this plan will be undertaken through a collaborative effort between public and private organizations to address specific tactics presented in the Strategy.

NOW THEREFORE BE IT RESOLVED, that the Lincoln County Board of Commissioners endorses the vision, goals, and strategic actions presented in the Future Forward Economic Alliance's Regional Economic Growth Strategy as a means of enhancing the region's economic competitiveness and future prosperity.

Approved this 18th day of August, 2003

Jerry Cochrane, Chairman
Lincoln County Commissioners

ATTEST:

Amy S. Long, Clerk
Lincoln County Commissioners

Public Works Capital Project Report: Steve Gilbert presented the Capital Project Report for the Public Works Department.

Vacancies: Chairman Cochrane presented the following vacancies and appointments.

VACANCIES

Nursing and Adult Care Home Community Advisory Committee	6
Recreation Commission – Union North	1
Solid Waste Advisory Board	4
(3 year terms, only meet about 2 times per year)	
Mountain Island Marine Commission	1

APPOINTMENTS

EDA – Rosalind Welder

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the appointment of Rosalind Welder to the EDA Board.

Calendar: Chairman Cochrane presented the calendar for the month of September, 2003. He suggested the following dates as possible dates for a joint meeting with the School Board: September 9, 11, and 18.

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

County Attorney's Report: Jeff Taylor reported on the progress of the new ABC store in east Lincoln and also mentioned the unresolved issue of the Sherrill property.

Recess: Chairman Cochrane recessed the meeting to Friday, August 29 at 8:30 a.m. at the School Administration Building.

Amy S. Long, Clerk to the Board

Jerry W. Cochrane, Chairman