

<b>LINCOLN COUNTY BOARD OF COMMISSIONERS</b>	<b>MINUTES OCTOBER 20, 1997</b>
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The Lincoln County Board of County Commissioners met in regular session on October 20, 1997 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:00 PM. The following were present:

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

Don Pendleton, County Attorney  
Jeffrey Taylor, Assistant County Attorney  
Richard French, County Manager  
Stan Kiser, Assistant County Manager

Also present was Amy Long, Clerk to the Board of Commissioners.

#### **CALL TO ORDER**

Chairman McConnell called the October 20, 1997 meeting to order.

#### **INVOCATION**

Rev. Carrol Owens, pastor of New Testament Church, gave the invocation.

#### **ADOPTION OF THE AGENDA**

Chairman McConnell presented the Agenda for the October 20, 1997 Board of Commissioners meeting.

#### **AGENDA**

**BOARD OF COUNTY COMMISSIONERS  
LINCOLN COUNTY, NORTH CAROLINA  
OCTOBER 20, 1997**

7:00 PM      Call to Order

- |     |         |  |
|-----|---------|--|
|     | 7:00 PM | Invocation   |
|     | 7:00 PM | Adoption of Agenda   |
| 1.  | 7:05 PM | Approval of Minutes<br>August 18, 1997   |
| 2.  | 7:05 PM | Consent Agenda<br>Tax Request for Releases<br>Less than \$100 - September 1 – 30, 1997<br>More than \$100 – September 1 – 30, 1997<br>Tax Request for Refunds<br>Less than \$100 – September 2 – September 30, 1997<br>More than \$100 – September 2 – September 30, 1997<br>Request for Water Adjustments<br>Sponsored Group Status – Chamber of Commerce<br>Christmas Eve Holiday – December 24<br>Proclamation County Manager for the American Heart Walk |
| 3.  | 7:15 PM | Catawba Springs PTA – Sherre DeMao   |
| 4.  | 7:25 PM | Gaither Shrum Memorial Park – Dawn Shrum   |
| 5.  | 7:30 PM | Public Comments  |
| 6.  | 7:35 PM | Bids on Landfill Equipment – John Avery  |
| 7.  | 7:40 PM | Mountain Island Lake – Trust for Public Land   |
| 8.  | 7:50 PM | Mountain Island Marine Commission and Budget   |
| 9.  | 7:55 PM | Capacity Fee Report – Doug Chapman   |
| 10. | 8:05 PM | 1998 Holiday Schedule  |
| 11. | 8:10 PM | 1998 First Quarter Meeting Schedule  |
| 12. | 8:15 PM | Small Cities CDBG Resolution   |
| 13. | 8:20 PM | Resolution Concerning Use of Room Occupancy and<br>Tourism Tax   |
| 14. | 8:25 PM | Vacancies  |
| 15. | 8:30 PM | Appointments   |

16. 8:35 PM Calendar
17. 8:35 PM County Commissioner's Report
18. 8:45 PM County Manager's Report
19. 8:55 PM Closed Session (If Necessary)

Adjourn

Please note the Board of Variances and Appeals will meet immediately after the October 20, 1997 Regular Meeting for the advertised Public Hearing.

Please note that the Board of Commissioners will meet for a work session on October 22, 1997 at 6:30 PM. The Commissioners will meet jointly with the Planning Board on November 3, 1997. The purpose of the meeting will be to hold zoning public hearings. The Board of Variances and Appeals will also meet on November 3, 1997 at 7:30 PM. The Board of Commissioners Regular meeting will be on November 17, 1997.

Commissioner Larry Craig motioned to adopt the agenda for the October 20, 1997 meeting.

Seconded by Commissioner James Hallman.  
Unanimously approved.

## **APPROVAL OF MINUTES**

Chairman McConnell presented the minutes of the August 18, 1997 Board of Commissioners meeting for approval.

Commissioner James Hallman motioned that the minutes of August 18, 1997 meeting be approved.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

## **CONSENT AGENDA**

Chairman McConnell presented the Consent Agenda for October 20, 1997 for approval.

## **RELEASES FOR SEPTEMBER, 1997**

### **Releases Less Than \$100—Motor Vehicles**

Alfaro, Shannon Carpenter	1997	0088986	\$ 3.61
Avery, John W. III & Tracy N.	1997	49419	21.19
Avery, Melinda Huffstetler	1997	0075730	65.44
Barnes, Douglas Ray Jr.	1997	0095309	44.26
Barrier, Charles Thomas	1997	0118536	42.89
Beal, Cathy Rudisill	1996	0089174	48.21
Bentley, Dale Dean	1997	0124241	18.66
Boggus, Shirley Stinchcomb	1997	0123989	68.56
Boyles, Scott M. & Esther L.	1997	43608	18.20
Brittain, Gwendolyn Darlene	1996	0111646	12.73
Brafford, Lucille Bridges	1997	0062900	17.95
Brooks, Teresa McGill	1996	0122113	47.69
Brown, Billy Joe Jr.	1997	48044	5.74
Brown, Clarence Edward	1996	0122331	35.87
Brown, David Wayne	1996	0115900	8.86
Brown, Jennifer Leann	1996	0122220	10.48
Caldwell, Billy Joe	1997	0076597	53.61
Caldwell, John W. Jr.	1996	20020	56.06
Caldwell, Troy Lester	1997	0123967	6.03
Camp, Barbara McCurdy	1997	0118526	24.56
Cannon, Carl Eugene Jr.	1997	0096204	97.24
Carolina Cross Connection	1997	0074605	11.33
Carolina Tailors Inc.	1997	0070901	60.20
Carpenter, Barry David	1997	0092799	6.65
Carpenter, David W.	1997	11580	65.95
Chapman, Michael Glenn	1997	0104808	3.79
Cook, Agnes Boyles	1997	0124045	2.41
Cook, Jason Eric	1996	0114729	8.73
Cumbee, Kerry Fulton	1997	0118290	65.83
Dellinger, Ray Houser Jr.	1997	0124260	19.84
Derr, Ada Icard	1996	0107429	16.01
Dorsey, Martha Riddle	1997	0124134	11.45
Duckworth, Neely Tamar	1996	0087616	2.15
East Mecklenburg Band Booster	1997	0124043	2.41
Edwards, Marlowe Cherylette	1997	0123992	40.01
Eurey, Billy M. & Barbara S.	1997	03675	72.30
Faulkner, Jeremy Arnold	1996	0082170	37.99
Finchum, Charles Lawson	1997	0092828	6.76
Flores, Jaime	1996	0108559	6.58
Floyd, Lloyd Ray	1997	0123567	66.76
Forester, Lisa Louise	1997	45345	11.85
Gantt, Janet Taylor	1997	0079687	34.63
Garr, Sheila Sterling	1996	0108402	84.75
Gilmore, Lynn McCarn	1997	0096219	20.13
Green, Amy Lefettie	1997	0117309	5.07
Grice, Donald & Susan	1996	20350	13.39
Hamm, Kenneth Charles	1997	0122944	73.01
Harbin, Robert Wayne	1997	0071349	14.31
Harkey, Sherry Ellen	1997	0118417	74.96

Helms, Torrence Oneal	1996	0122049	6.03
Helton, Margaret Bryant	1997	0071692	15.03
Hicks, Lanora Ann	1996	0105678	3.29
Hoffman, Heather Shea	1997	0124285	33.10
Horne, Neal Paul	1997	18148	47.61
Hoyle, Ronald Lee	1996	0071362	8.64
Hudson, Paul Craig	1997	0108603	25.03
Hudson, Teresa Ann	1997	0077244	15.89
Hull, Randy Allen	1997	0117008	48.11
Jelley, Lyle Paul	1997	0123449	30.96
JMT Interprises Inc.	1997	0098292	18.47
Keller, Allen Lee	1996	0122152	26.51
Kirby, Ronnie D.	1997	09417	67.46
Kowaleski, Becky Hallman	1997	0066970	30.57
L & L Wedge Company	1997	0123997	64.58
Lackey, Gary Sherwood	1997	0078328	70.27
Lael, Scott Edward	1997	0123979	25.07
Lattimore, Treva Christina	1996	0121346	14.13
Lawing, Darin William	1996	0092450	25.37
Ledford, Larry Kenneth	1997	0123660	4.22
Levesque, Edward Leon	1997	0124072	35.72
Logan, Pamela Dawn	1996	0118424	16.96
Lou, Robert Winghongai	1996	0107160	70.90
Lumbermans Mutual Casualty	1997	0075563	42.35
Lyda, Sharon Renee	1996	0087719	19.77
Lynch, Leslie Regina	1996	0120643	42.89
Mapes, Floyd Eugene Jr.	1997	0083602	8.63
Martin, Shasta Leigh	1997	0124016	5.86
Martinez, Jose Garcia	1997	0087133	15.68
Mathis, Rayvon Harrison	1997	0097044	17.64
Mayberry, Vernon Scott	1996	0122225	14.71
McCorkle, Roy James	1996	0122047	6.03
McCorkle, Sammy D. & Hazel	1997	39859	74.67
McGill, Teresa Ann	1996	0090143	2.23
Mellon, Joyce Redmond	1996/97	0092336	31.93
Mendoza, Benito Hernadez	1996	1019888	4.37
Miller, John Edward & Margaret	1997	49504	35.13
Morgan, Lindsay Dean	1997	0097640	1.97
Metcalf, Frank Hubert	1996	0120778	50.33
Morrison, Chris DBA	1997	0087471	22.98
Nagim Corp.	1997	0095769	27.00
NBL Investments	1997	0097296	8.53
Nelms, Jennifer Lynn	1997	0096271	97.85
Nicoletti, Patricia Cody	1997	0107565	6.52
Owens, Todd W.	1996	10942	30.01
Parker, Kenneth Wayne	1997	0068321	12.16
Piedlow, David Michael	1997	0096448	1.04
Powell, Fred Aaron	1996	0119059	7.72
Powell, Robert James	1997	0124066	62.90
Price, Ernest William	1997	0096481	28.27

Reinhardt, Mary Bety	1997	0085723	56.64
Rhyne, Neal Herbert	1997	0108353	19.17
Richardson, Everett E. Jr.	1997	45860	40.83
Rikard, Monroe David	1997	0095198	3.16
Rivens, Charles Dexter	1997	0123705	12.83
Robinson, John Robert	1997	0116272	3.62
Robinson, Richard Steven	1996	0117987	23.22
Rose, Richard H. & Barbara	1997	09659	46.34
Ross, Lacy Earl	1996	0068635	108.21
Rudisill, Betty Braswell	1997	0124101	15.54
Sain, Joy Vanzile	1997	0082301	5.83
Salazar, Liliana	1997	0123653	49.89
Schronce, A. Frank Sr. & Margaret	1997	02963	32.23
Schronce, Harold Eugene	1997	0081228	9.76
Schrum, Michael A. & Carla E.	1997	32530	13.19
Scronce, Mark E.	1997	03052	29.61
Sharpe, Stephen Wayne	1997	0121839	96.36
Sigmon, Regina Robinson	1997	0123484	15.30
Simmons, James R. & Betty J.	1996	35800	27.71
Sisk, Donald Ray	1997	0071237	37.80
Smith, Gregory Calvin	1997	0072554	3.53
Smith, John Henry	1997	0069347	54.60
Spencer, Barry Allen	1997	0096202	12.81
Stoner, Greg Robert	1997	0073370	70.57
Sykes, Mary Brooks	1997	0120674	13.26
Thompson, Robert Lee III	1997	0122184	3.37
Tipton, Daniel C.	1997	0109785	24.08
Tolbert, C.B. Jr. & Rosie	1997	14436	33.89
Towery, Ken Alan	1997	03551	72.79
Tracy, Claire Tylander	1997	0069219	44.41
Tsapukoglu, John & Mariann	1996	14508	59.30
Vinsant, Michael Lee	1997	0072703	35.63
Waldrop, Brenda Lou	1997	0080444	17.50
Whistlehunt, Curtis Eugene	1997	0101390	86.88
Wildoner, Richard A.	1997	0109417	6.76
Willis, J.C.	1997	0064826	15.10
Willis, Larry Dean	1997	0072128	6.44
Wilson, Stanley D. & Patricia C.	1996	47093	49.48
Wise, Ulysses Bayne	1997	0072128	6.44
Yarbrough, Luther Odgen Jr.	1997	0095573	9.18

#### **Releases More Than \$100 – Motor Vehicles**

Anthony, Judy Brown	1996	0118192	128.81
Brewer, Joseph Lamar	1997	0098020	130.75
Camp, Amy Kathleen	1997	0071072	150.14
Carpenter, Jack Kenneth	1997	0086189	255.10
Childers, Quinton Lee	1996	0118459	200.15

Davis, Gerald	1997	0072582	115.58
Dormady, Stephen Joseph	1997	0124275	215.21
Fisher, Michael John	1997	0124129	116.04
Fraley, Ruth Abernethy	1997	0124151	107.49
Galinelli, Linda Kay	1997	0124152	107.49
George, Jonathan Dewitt	1997	0112294	172.49
Gunter, James Craig	1997	0118525	169.78
Harvell, Susan Thomas	1997	0093787	125.32
Houser, Mrs. B. S.	1997	07176	132.67
Leu, Cheryl Weigand	1997	0124154	108.94
Lisk, Charles Alan	1996	0122094	208.59
McCorkle, Roy James	1996	0122189	127.61
McCormick, James Dennis	1997	0118657	115.80
Owens, Tammy Townsend	1997	0071182	151.11
Palmetto Trucking Co. Inc.	1997	0117068	223.72
Payseur, William Kenneth	1997	0099592	167.13
Payton, Hurbert Earl	1997	0118690	120.50
Peeler, Angela Michelle	1997	0118301	107.12
Pender, Deborah Nantz	1996	0121006	167.50
Reid, Andria Michelle	1997	0124200	190.39
Schronce, Billy Carl	1997	0101596	158.82
Sipe, Eric Edwin	1997	0068153	162.92
White, Steven Richard	1997	0116078	105.05
Williams, Bryan Lemont	1996	0122337	174.73
Willis, Darren James	1997	0118578	111.10

### Less Than \$100

Bowden, Bobby & Connie	1997	06628	69.00
Brege, James Matthew	1997	0070986	5.32
Brown, Mrs. Grace Beam	1997	01620	9.03
Buff, Alan Robert	1997	0080558	3.09
Caldwell, Herbert J.	1997	0117103	43.68
Canipe, Roy D. & Johnny J.	1997	04537	69.00
Carroll, Melvin	1997	0119064	77.09
Charles, James & Gussie Mae	1996	04793	3.98
Crenshaw, Wayne	1997	30614	2.84
Dedmon, Bobby Sr. & Marie	1997	01864	69.00
Gibson, Larry C.	1993-1997	0060587	229.49
Hamilton National Leasing	1997	0117720	50.68
Hendrick, Franklin William	1997	06475	69.00
Hicks, Grace Reynolds	1997	0085166	69.00
Ingle, Terry Dale	1997	03065	4.63
Jenks, William Wayne	1997	0068108	69.00
Kinman, Deana Leonhardt	1997	0113255	.56
Lambirth, Angela Bradshaw	1997	32680	8.08
Martin, Charles Alvin Sr.	1997	07423	24.15
McClure, Maxie William	1996-1997	0061854/0115747	151.86
Meeks, Ralph Graham Jr.	1997	0106397	40.11
Neal, Lydia H.	1997	0063705	49.86

Plumley, Urcilla McCaul	1997	20167	69.00
Powell, Mark	1997	0088703	87.72
Richard, Clarence C. & Marie	1997	14802	69.00
Rogers, James L.	1997	0088791	12.46
Town & Country Laundrette	1997	0122572	58.76
Young, Bobby Jeff	1997	0099955	49.46
Yount, James Ben & Jane H.	1997	04170	7.55

#### **Releases More than \$100**

Clark, Mark Alan	1994-1997	0090013	597.71
Elderberry Manor of Lincoln	1997	0060448	1249.67
Lail, Russell A. Jr.	1994-1997	15016	802.85
Pritt, Timothy	1997	0111007	144.11
Rust, Pearl (Heirs of)	1997	00761	439.50
Scronce, Michael	1997	03058	141.45
Tucker, Kenneth Builders Inc.	1997	26185	110.02

#### **REFUNDS FOR SEPTEMBER, 1997**

##### **Refunds Less Than \$100**

Abernathy, Julia B.	1997	0114096	95.24
Abernethy, Louise Weaver	1997	0078648	45.00
Allran, Edgar C.	1997	05333	3.93
American Home Funding	1997	0061852	6.57
Arruga, James J. & Belinda	1997	29551	8.21
Avery, Harry & Joseph	1997	0117196	44.07
BB&T Mortgage	1997	20422	30.73
Biggerstaff, Howard T.	1997	0060216	55.85
Bolen, Rosa Lee	1997	40663	81.04
Brown, Mrs. Grace B.	1992	01620	7.84
Brown, Mrs. Grace B.	1993	01620	7.84
Brown, Mrs. Grace B.	1994	01620	7.84
Brown, Mrs. Grace B.	1995	01620	7.84
Brown, Mrs. Grace B.	1996	01620	7.84
Carswell, James & Nancy	1997	0098925	2.91
Caudle, Tony Raymond	1997	11746	76.39
Church, Billy Keith	1997	41789	5.51
Cochran, Ed	1997	21645	56.01
Cornwell, Mabel	1997	05017	100.00
Countrywide Home Loans	1997	0081131	3.91
Dower, John H. & Dara J.	1997	05830	6.08
Eubanks, Roy L.	1997	18579	6.03
G.E. Capital Mtg. Services	1997	31411	34.22
Gilberts Masonary	1997	0072299	52.74
Grigg, Boyd S.	1997	0105181	78.78
Harris, Dale and Pamela	1997	0062251	40.38
Henley, John & Frances	1997	15189	15.06
Holstein, Steven	1997	0088628	35.17



Hubbard, Richard & Nancy	1997	16526	10.42
Jester, Steve	1997	0088689	47.25
Lute, Ronald & Cheryl	1997	0098693	15.96
McMillan, Larry Carlton	1997	21574	6.51
O'Daniel, Susan & Timothy	1997	04222	39.21
Parker, Timothy & Shannon	1997	41033	20.05
RCTR, Inc.	1997	0122606	23.22
Rhodes, John R. & Virginia	1997	14717	25.80
Rickard, Anthony & Nancy	1997	0093010	4.26
Shelnutt, James W. III	1997	0062276	39.07
Shelnutt, James W. III	1997	0062276	29.48
Sisk, Leon & Barbara	1997	09657	21.91
Standard Federal Bank	1997	39588	9.90
Stroup, Herman C.	1997	11149	40.74
Taylor, Cindy	1992	08412	28.00
Thornburg, D. Calvin & Cathy III	1997	08679	61.57
Universal American Mortgage	1997	0064024	24.49
Vance, Tommy Dale	1997	14614	10.22

#### Refunds Less Than \$100 – Motor Vehicles

Barker, Mary Broome	1996	0078024	4.68
Beam, James W. & Linda	1997	44862	14.10
Behles, Dave	1997	0123613	3.96
Bess, Robert Marion	1996	0067027	39.37
Burns, Katherine & James	1997	0124125	6.67
Cannon, James & Anna	1997	0073726	1.75
Cole, Olen & Ruby	1997	12144	23.80
Daugherty, William & Donna	1996	0103521	2.37
Davis, Gussie Martin	1997	0106407	85.47
Dellinger, Ray Houser, Jr.	1996	0101768	24.96
Diehl, Timothy S.	1996	0102562	7.01
Dooley, Anthony W.	1996	0098265	7.07
Elkins, Arvel & Tracy	1996	0122332	2.32
Farley, Ruth H.	1996	0096942	24.70
GE Capital Auto Lease, Inc.	1997	0121628	56.64
Gordon, Ira D.	1997	0095693	2.96
Griffin, Denneth Neal	1997	0065987	37.17
Hamilton, William & Carol	1997	0085523	4.59
Henry, David R.	1996	31556	8.39
Holtsclaw, Joyce A.	1996	0082737	1.88
Huffstetler, Palmer Eugene	1996	012134	22.12
Knight, Samuel E.	1996	0082861	12.66
Lingerfelt, Jamie P.	1996	01200847	1.50
Martin, James Gray	1996	0106302	37.96
McNeill, Agnes H.	1997	0067474	9.80
Mort, Dewey George	1996	0090660	9.54
Norwood, Kyra L.	1996	0084575	31.90
Patterson, Jacquelyn	1997	13580	7.68
Pioneer Co. of Lincolnton, The	1996	25803	32.90

Saborio, Cecilia S.	1997	0124032	9.36
Schrum, Michael A. & Carla E.	199632530		14.96
Sherrill, Melinda	1996	46102	27.53
Simmons, James Robert	1996	0086234	3.92
Summey, Ralph & Joanna III	1996	0113868	1.53
Tesner, Edna Mauney	1996	0115238	5.16
Tilley, Cynthia & Kent	1997	0090600	57.53
Towery, Ken Alan	1997	03551	72.79
Tutterow, John & Nancy	1997	21666	30.16
Wright, Wayne L.	1997	0082983	6.51
Wylie, Shawna Estelle	1996	0118318	7.24

#### **Refunds More Than \$100 – Motor Vehicles**

Beam, James W & Linda	1997	44862	114.42
Kincaid, Royce Eugene	1997	017493	109.58
Morton, Stephen & Jane	1997	09135	623.59
Primus Automotive Corp.	1996	0101790	143.40
Sigmon, Judith Freeman	1997	0096548	572.73

#### **Refunds More Than \$100**

Clayton, Nancy Alice	1997	0110365	1,655.69
CNR Properties, Inc.	1997	0118098	248.16
Cornwell, Randy Lewis	1997	0073790	703.09
Denton, Ralph B.	1997	0097399	125.00
Faber, Conrad I.	1997	0106533	1,504.66
First Citizens Bank	1997	0121900	838.71
King, S.J. & Marie M.	1997	18466	492.79
Pelletier, Diane P.	1997	0098433	861.85
Reddick, Sharon C.	1997	39472	156.47
Rich, James H. & Shirley	1997	21014	1,005.20
Riegel, Robert W. & Juli	1997	0118758	412.45
Standard Federal Bank	1997	0100760	615.04
Waldrop, Jennifer	1997	0109288	439.25
Yates, James & Lisa	1997	0088485	4,983.79

#### **Requests for Water Adjustments**

Name	Amount Adjusted	New Total
Baxter, William Eugene	875.65	77.42
Berry, Bill	15.83	16.70
Geymont, Jerry	787.80	196.91
Heavner, Dean	93.64	84.57
H. Creek Baptist Church	202.46	76.10
Mason, Sandra	27.39	47.29
Rose, Teddy	36.89	25.48

Sisk, Julia	69.56	47.88
Thompson, Houston	103.54	54.97
Tucker, Belton	65.61	38.05

**Sponsored Group Status – Chamber of Commerce**

**Christmas Eve Holiday – December 24, 1997**

**Proclamation County Manager for the American Heart Walk**

**PROCLAMATION**

**RICK FRENCH, COUNTY MANAGER  
FOR THE AMERICAN HEART WALK**

**WHEREAS**, the Lincoln County Board of Commissioners recognizes Rick French, County Manager, for his outstanding dedication and support of Lincoln County and the American Heart Association, and

**WHEREAS**, through his willingness and commitment to participate in the Arkansas Travelers 100 Mile Run, and

**WHEREAS**, he has focused his time and energy to support the fight against heart and blood vessel diseases, our Nation's number one killer, and

**WHEREAS**, Rick French has displayed much distinction and compassion by giving so unselfishly to help raise money to fund the American Heart Association's research and community education programs;

**THEREFORE, BE IT RESOLVED**, that the Lincoln County Board of Commissioners in support, wishes to recognize Rick French for providing the leadership and dedication to our County that we are all proud of.

Proclaimed this 30<sup>th</sup> day of September, 1997.

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Louis E. McConnell, Chairman  
Board of Commissioners

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James A. Hallman  
Vice-Chairman

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Beth H. Saine  
Commissioner

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Larry S. Craig  
Commissioner

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Terry L. Brotherton  
Commissioner

Commissioner James Hallman motioned that the Consent Agenda for October 20, 1997 be approved.

Seconded by Commissioner Beth Saine.  
Unanimously approved.

Commissioner Larry Craig commented that the Christmas Eve Holiday was in addition to the other holidays.

#### **CATAWBA SPRINGS PTA—SHERRE DEMAO**

Sherre DeMao stated that she was speaking on behalf of East Lincoln parents, as a Board Member of Catawba Springs Elementary School, and as a liaison of PTA's throughout the County. She stated that all of the schools in East Lincoln are at or over capacity, and the County has addressed this with an aggressive program. She spoke about the PTA's concerns about the growth and effect on the schools throughout Lincoln County.

#### **GAITHER SHRUM MEMORIAL PARK—DAWN GAYE SHRUM**

Dawn Gaye Shrum stated that she asked to be on the agenda to discuss and request the need for proper upkeep at the Ramsours Mill Battleground Site. She stated that this site was designated a memorial to her father, Gaither E. Shrum. She stated that Dr. Martin Eaddy called her recently and assured her that the school system has included this site in their maintenance contract.

#### **PUBLIC COMMENTS**

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

No one came forward to speak.

Being no speakers, Chairman McConnell declared the Public Comments closed.

#### **BIDS ON LANDFILL EQUIPMENT**

John Avery, Director of Solid Waste, stated that on October 7, 1997 there was a bid opening for a landfill compactor and a wheel loader. He presented the following bids for a landfill compactor:

##### **LANDFILL COMPACTOR**

**AL-JON**

AL-JON	\$ 361,330.00	Delivery – 60—90 days
Trade-In	<u>\$ -13,500.00</u>	

<b>Model Impact 81K</b>	<b>\$ 347,830.00</b>	
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#### **BOMAG**

A.E. FINLEY	\$ 310,155.00	Delivery – 90 days
Trade-In	<u>\$ -10,000.00</u>	

<b>Model-BC670RB</b>	<b>\$ 300,155.00</b>	
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#### **CATERPILLAR**

CAROLINA TRACTOR	\$ 313,330.00	Delivery – 56 days
Trade-In	<u>\$ -15,000.00</u>	

<b>Model – 826G</b>	<b>\$ 300,330.00</b>	
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\*TRADE IN IS A MODEL 355 REX – SERIAL.HNR-102-T

Mr. Avery recommended the Caterpillar for \$ 313,330.00 for the following reasons: there is only \$ 175.00 difference between the Bomag and the Caterpillar, employees are more familiar with Caterpillar, exchange of parts on-hand, such as oil, filters, mechanical knowledge, and quicker delivery.

Commissioner Terry Brotherton asked what the life expectancy is for this type of machine.

John Avery stated that the life expectancy is 5 – 6 years.

Commissioner Larry Craig made a motion to accept the Caterpillar bid of \$ 330,330.00 based on the facts that there is only \$175 difference between the Bomag and the Caterpillar, employees are more familiar with Caterpillar, exchange of parts on-hand, mechanical knowledge, and quicker delivery.

Seconded by Commissioner Terry Brotherton.  
Unanimously approved.

Mr. Avery stated that a Wheel Loader was also bid at the same time. He stated that this was the Wheel Loader that was needed for the White Goods area, that the grant was received for. He presented the following bids for a wheel loader:

## **WHEEL LOADER**

### **CATERPILLAR**

CAROLINA TRACTOR Model – IT 24F	\$ 88,654.00	Delivery 84 days
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### **KOMATSU**

MITCHELL DISTRIBUTORS Model WA 180-3	\$ 98,972.00	Delivery 60 days
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### **JOHN DEERE**

BESTRACS Model – 444H	\$ 87,848.00	Delivery 75 – 120 days
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### **SAMSUNG**

A.E. FINLEY Model – ST120-2	\$ 92,100.00	Delivery 30 – 45 days
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John Avery recommended the Caterpillar for \$ 88,654.00 for the following reasons: exchange of parts on-hand, employees are more familiar with the Caterpillar, and mechanical knowledge.

Commissioner Larry Craig made a motion to accept the bid for the Caterpillar for \$ 88,654.00 based on the reasons stated by John Avery, including exchange of parts on-hand, employees are more familiar with the Caterpillar, and mechanical knowledge.

Seconded by Commissioner Terry Brotherton.  
Unanimously approved.

Rick French, County Manager, presented the following memorandum from Leon Harmon:

## **MEMORANDUM**

To: Richard L. French, County Manager

From: Leon Harmon, Finance Director

Date: October 14, 1996

Subject: Financing of Landfill Compactor

During the budget process the Landfill was budgeted for the replacement of a compactor, this compactor we to be purchased through lease purchase over 36 months. In the budget we have \$82,000 budgeted for 9 possible payments in

this years budget. Attached are the bids received from the various banks to finance this equipment:

	Rate	Fees
BB&T	4.57%	
Centura	4.50	
First Citizens	4.52	\$200.00
First Union	5.13	
NationsBank	4.74	Expenses
Wachovia	4.50	

Based upon the above bids, if the Board of Commissioners approve the purchase of the Compactor, I would like to recommend that they accept the proposal from Wachovia with an interest rate of 4.50% to finance this equipment.

Commissioner Larry Craig stated that the out-of-town banks have a lower rate, but he commented that he would like to try to do business locally, instead of going out of the County.

Don Pendleton, County Attorney, stated that he could check into it and see if the Board would have to take the lowest bid.

#### **MOUNTAIN ISLAND LAKE – TRUST FOR PUBLIC LAND**

Gordon Smith spoke representing The Trust for Public Land. He stated that Mountain Island Lake is a source of drinking water for Charlotte-Mecklenberg, Gastonia, and Mount Holly. He commented that several years ago the General Assembly mandated that jurisdictions establish land use regulations in the watersheds of drinking water supplies. He stated that Crescent Resources is in the process of selling some land around Highway 16. There is 1300 acres that goes from Duke Riverbend Steam Plant into Lincoln County. He commented that approximately 238 acres of this land is located in Lincoln County. The Trust for Public Land entered into negotiations with Crescent Resources, and has an option to purchase this land through October 31, 1998, for \$5,000 per acre. Mr. Smith asked for the Board's consideration on this matter.

A motion by Commissioner James Hallman to allow Centralina COG to procede with the Mountain Island Lake Trust for Public Land Acquisition and the terminology of the Resolution to be worked out with the County Manager.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

#### **MOUNTAIN ISLAND MARINE COMMISSION AND BUDGET**

Mike McLaurin, representative from Centralina Council of Governement, presented the following resolution and asked for approval from the Commissioners.

#### **A JOINT RESOLUTION TO CREATE THE MOUNTAIN ISLAND LAKE MARINE COMMISSION**

BE IT ORDAINED, RESOLVED, AND ENACTED BY THE COUNTY COMMISSIONS OF GASTON, LINCOLN, AND MECKLENBURG COUNTIES, NORTH CAROLINA:

WHEREAS, the General Assembly of North Carolina authorized the creation of the Mountain Island Lake Marine Commission by Chapter 257 (Senate Bill 500) of the North Carolina Session Laws, 1997 (hereinafter referred to as the "Enabling Legislation"); and

WHEREAS, The Enabling Legislation authorized the Mountain Island Lake Marine Commission, upon its creation to adopt regulations applicable to Mountain Island Lake and its shoreline area concerning all matters relating to or affecting the use of Mountain Island Lake; and

WHEREAS, it is the intent of the Boards of Commissioners of Gaston, Lincoln, and Mecklenburg Counties, North Carolina, to preserve and protect property, wildlife, and persons using Mountain Island Lake and its shoreline, and to promote public safety within the jurisdiction of the Mountain Island Lake Marine Commission; and

WHEREAS, the Boards of Commissioners of Gaston, Lincoln, and Mecklenburg Counties, North Carolina, find that it is in the best interest of the citizens of the three counties to participate jointly in the creation of the Mountain Island Lake Marine Commission, it is the intent of this Resolution to create the Mountain Island Lake Marine Commission.

NOW, THEREFORE, BE IT RESOLVED by joint resolution of the Gaston County Board of Commissioners, the Lincoln County Board of Commissioners, and the Mecklenburg County Board of Commissioners that the Mountain Island Lake Marine Commission be and it is hereby created pursuant to the provisions of the Enabling Legislation, the provisions of which are incorporated herein by reference.

BE IT FURTHER RESOLVED that the Mountain Island Lake Marine Commission shall be subject to the following terms and conditions:

- (1) Members of the Commission, consultants, and staff may be compensated and reasonable operating expenses of the Commission in accordance with the provisions of the annual budget adopted by the Commission to the extent of funding appropriated to the Commission by each County in the County's budget ordinance, or to funding received from gifts, grants, or other public or private funding sources.
- (2) The Commission may exercise such powers and duties as are authorized by the Enabling Legislation.
- (3) The Commission shall meet on a rotating basis in each county and at least six times each year. Meetings shall be held in a place appropriate to accommodate public access as may be determined from time to time by the Commission. Regular meeting dates and



times shall be established by the Commission, and public notice shall be provided pursuant to statute.

- (4) The finances of the Commission shall be audited on an annual basis in accordance with the standards promulgated by the North Carolina Local Government Budget and Fiscal Control Act. If and so long as the Centralina Council of Governments shall provide fiscal and administrative services to the Commission, the Commission audit shall be performed by the audit firm engaged by the Council of Geoverments to perform its audit.
- (5) Gaston, Lincoln, and Mecklenburg Counties shall appropriate funds to the Commission in an amount sufficient to reasonably support the activities of the Commission. The appropriation from Gaston, Lincon and Mecklenburg Counties shall be based upon a request for appropriation mad annually to each county by the Commission after the adoption of the Commission's proposed budget ordinance for the succeeding fiscal year. If any County shall appropriate less than the requested appropriation submitted by the Commission, the Commission shall adjust its proposed budget to conform to the amount appreciated by such county and the appropriation of the remaining counties shall be proportionately reduced. Recognizing that the area of Mountain Island Lake and its shoreline lying within Gaston, Lincoln and Mecklenburg Counties varies, the Counties agree that the percentage of the total annual budget (as finally adopted by the Commission) which will be appropriated by Gaston, Lincoln, and Mecklenburg Countes is as follows:

<u>County</u>	<u>Percentage</u>
Gaston	45%
Lincoln County	10%
Mecklenburg	45%

- (6) All law enforcement officers with territorial jurisdiction as to any part of Mountain Island Lake or its shoreline area, within the limitations of their subject matter jurisdiction, shall have the authority of peace officers in enforcing the laws over all of Mountain Island Lake and its shoreline area and such additional extra territorial jurisdictions as is set forth in Section 9 (d) of the Enabling Legislation.
- (7) The Commission may hire special officers to patrol and enforce the laws on Mountain Island Lake and its shoreline area; and such officers shall have and exercise all the powers of peace officers generally within the areas of Mountain Island Lake and its shoreline.
- BE IT FURTHER RESOLVED, that certified copies of the joint ordinance creating the Mounatin Island Lake Marine Commission shall be exchanged between the three counties and shall be forwarded to State Departments and agencies specified in the Enabling Legislation.

**CERTIFICATION BY THE CLERK TO THE BOARD**

I certify that the foregoing Joint Resolution to Create the Mountain Island Lake Marine Commission was duly adopted by the Lincoln County Board of Commissioners at a meeting held on the 20<sup>th</sup> day of October, 1997.

This 20<sup>th</sup> day of October, 1997.

\_\_\_\_\_  
Clerk to the Board

A motion by Commissioner James Hallman to sign on to the project, to the extent of 4%, instead of 10%, which is the exact extent of shoreline in Lincoln County, and with 1 representative.

Seconded by Commissioner Larry Craig.  
Vote: 4-1 (Brotherton)

Commissioner Terry Brotherton stated that the issue for him is not the percentage, he does not believe in making government larger, he wants to downsize it.

Chairman McConnell called for a five minute recess.

Chairman McConnell called the meeting back to order.

### **CAPACITY FEE REPORT**

Doug Chapman, County Engineer gave a report on the proposed capacity fee.

### **RECESS**

Chairman McConnell entertained a motion to recess the October 20, 1997 Regular Meeting for the purpose of conducting the Board of Variance and Appeals meeting.

Chairman McConnell called the Regular Meeting back to order.

### **1998 HOLIDAY SCHEDULE**

Rick French, County Manager, presented the following 1998 Holiday Schedule:

NEW YEAR'S DAY	January 1, 1998 (Thursday)
GOOD FRIDAY	April 10, 1998 (Friday)
MEMORIAL DAY	May 25, 1998 (Monday)
INDEPENDENCE DAY	July 3, 1998 (Friday)
LABOR DAY	September 7, 1998 (Wednesday)
VETERANS DAY	November 11, 1998 (Wednesday)
THANKSGIVING	November 26, 1998 (Thursday)
	November 27, 1998 (Friday)
CHRISTMAS	December 24, 1998 (Thursday)
	December 25, 1998 (Friday)

Commissioner Larry Craig made a motion to approve the 1998 Holiday Schedule.

Seconded by Commissioner James Hallman.  
Unanimously approved.

## **1998 FIRST QUARTER MEETING SCHEDULE**

Rick French, County Manager, presented the following memorandum:

### **MEMORANDUM**

TO: Louis McConnell, Chairman  
Board of Commissioners

FROM: Rick French, County Manager  
Amy Long, Clerk to the Board

SUBJECT: 1998 First Quarter Meeting Schedule  
Lincoln County Board of Commissioners  
East Lincoln County Water and Sewer District Board  
Board of Variance and Appeals

DATE: October 14, 1997

### **JANUARY 5, 1998**

6:30 P.M. Public Hearings --- Joint Meeting of the Lincoln County Board of Commissioners and Lincoln County Planning Board

7:30 P.M. Public Hearings --- Lincoln County Board of Variance and Appeals

JANUARY 19, 1998

6:30 P.M. East Lincoln County Water and Sewer District Board  
7:00 P.M. Lincoln County Board of Commissioners Regular Meeting

### **FEBRUARY 2, 1998**

6:30 P.M. Public Hearings --- Joint Meeting of the Lincoln County Board of Commissioners and Lincoln County Planning Board

7:30 P.M. Public Hearings --- Lincoln County Board of Variance and Appeals

**FEBRUARY 16, 1998**

6:30 P.M. East Lincoln County Water and Sewer District Board  
7:00 P.M. Lincoln County Board of Commissioners Regular Meeting

**MARCH 2, 1998**

6:30 P.M. Public Hearings --- Joint Meeting of the Lincoln County Board of  
Commissioners and Lincoln County Planning  
Board  
7:30 P.M. Public Hearings --- Lincoln County Board of Variance and Appeals

**MARCH 16, 1998**

6:30 P.M. East Lincoln County Water and Sewer District Board  
7:00 P.M. Lincoln County Board of Commissioners Regular Meeting

All meetings will be held in the Citizens Center, Commissioner's Room (located on the 3<sup>rd</sup> floor), Lincolnton, N.C. unless otherwise posted. Any questions concerning the meetings should be directed to Amy Long, Clerk to the Board at 736-8471.

A motion by Commissioner James Hallman to approve the 1998 First Quarter Meeting Schedule.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

**SMALL CITIES CDBG RESOLUTION**

Rick French, County Manager, presented the following Resolution for the Board's approval:

**RESOLUTION**

**WHEREAS**, The State of North Carolina through its Department of Commerce, Division of Community Assistance (DCA) receives Community Development Block Grant (CDBG) funds annually for non-entitlement communities (Small Cities) from the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, DCA awards these CDBG funds to eligible small cities and 98 counties in North Carolina for housing, economic development, and infrastructure activities that benefit low-moderate income households and remove blighted conditions; and

**WHEREAS,** In recent years the majority both in terms of the number of grants awarded and the dollar amount of these CDBG funds have been directed to communities in the Eastern portion of the State, leaving Piedmont communities and their housing and public improvement needs unmet; and

**WHEREAS,** There are regional differences in climate, soil types, economic resources, housing and construction costs, and political philosophy between the mountain, piedmont, and eastern parts of the State that need to be recognized by DCA when awarding CDBG funds; and

**WHEREAS,** In order to recognize these regional differences and make the CDBG program more equitable, DCA must make changes to its Small Cities CDBG program.

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Commissioners for the County of Lincoln requests that CDBG funds, particularly those allocated to the Community Revitalization program, be divided among the regions of the State, similar to those formed by the North Carolina Housing Finance Agency and that the amount allotted per region be based on the number of persons in poverty and the number of substandard housing units. In this matter, each community would compete within its region with communities sharing similar needs and resources for a specific amount of CDBG funds. In addition Lincoln County requests that DCA remove from the ranking system for these grants the distress county bonus points and similarly from the scattered site category, the pit privy incentive bonus points.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Louis E. McConnell, Chairman  
Board of Commissioners

\_\_\_\_\_  
Amy S. Long  
Clerk to the Board

A motion by Commissioner James Hallman to approve the Resolution as presented.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

## **RESOLUTION CONCERNING USE OF ROOM OCCUPANCY AND TOURISM TAX**

Rick French, County Manager, presented the following Resolution for the Board's approval:

**R9495-8**

### **RESOLUTION CONCERNING USE OF ROOM OCCUPANCY AND TOURISM TAX**

**WHEREAS**, it has been recognized that additional resources were needed in the promotion of travel and tourism in Lincoln County;

**WHEREAS**, a growing number of counties in North Carolina are using room occupancy taxes from the rental of rooms, lodging or accommodations, in the promotion of travel and tourism;

**WHEREAS**, on July 24, 1993, the North Carolina General Assembly approved legislation enabling Lincoln County to begin charging a room occupancy tax;

**WHEREAS**, after holding the required public hearings, the Lincoln County Board of Commissioners enacted a resolution levying a room occupancy tax on August 23, 1993 to become effective October 1, 1993;

**WHEREAS**, the enabling legislation of this tax requires that at least two-thirds of the proceeds from this tax be used to promote travel and tourism. The legislation also allows that the remaining revenues be used for tourism related expenditures;

**WHEREAS**, on September 12, 1994 a resolution was approved designating the use of the proceeds for fiscal years 1993-94, and 1994-95.

**WHEREAS**, during fiscal year 1995-96 Lincoln County received \$37,121, during 1996-97 received \$40,722, and expects to receive during 1997-98 \$41,000 from the tax;

**WHEREAS**, during fiscal year 1995-96 Lincoln County incurred the following expenses to promote travel and tourism; Chamber of Commerce \$7,300 to advertise, print and distribute information on Lincoln County; Carolina Partnership \$15,028, to promote business travelers; Historical Properties \$1,173; Historical Association \$5,000; and Battle of Ramsour Mill \$2,128; for a total of \$30,697

**WHEREAS**, during fiscal year 1996-97 Lincoln County incurred the following expenses to promote travel and tourism: Chamber of Commerce \$12,000, to advertise print and distribute information on Lincoln County; Mainstreet Program \$12,000 for promotional activities that attract tourists and business travelers; Historical Properties \$4,609; Historical Association \$40,192; for a total of \$68,801.

**WHEREAS**, during the current fiscal year Lincoln County has budgeted the following to promote travel and tourism: Chamber of Commerce \$12,000; Mainstreet Program \$12,000; Historical Properties, \$7,951; Historical Association \$62,881; Battle of Ramsour Mill \$10,000 for a total of \$104,832.

**THEREFORE BE IT RESOLVED**, that the revenues from the Local Occupancy Tax be used for the above outlined tourism related expenditures and to promote travel and tourism for fiscal years 1995-96, 1996-97, and 1997-98.

**ADOPTED** this 20th day of October, 1997.

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Louis E. McConnell, Chairman  
Board of Commissioners

ATTEST:

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Amy S. Long  
Clerk to the Board

A motion by Commissioner James Hallman to approve the Resolution Concerning Use of Room Occupancy and Tourism Tax.

Seconded by Commissioner Terry Brotherton.  
Unanimously approved.

### **NOTIFICATION OF VACANCIES**

Commissioner Hallman advised of the following vacancies:

Airport Authority  
Planning Board  
ETJ  
North Brook

### **APPOINTMENTS**

A motion by Commissioner James Hallman to appoint William Sidney Scoggins, a Profession Engineer, to the Lincoln County Board of Health.

Seconded by Commissioner Beth Saine.  
Unanimously approved.

### **CALENDAR**

Chairman McConnell presented the Calendar for November, 1997

Commissioner Larry Craig made a motion to approve the Calendar for November, 1997.

Seconded by Commissioner Beth Saine.  
Unanimously approved.

## **COUNTY COMMISSIONERS' REPORT**

Commissioner Larry Craig stated that he believes a moratorium should be placed on growth for the next 90 days. He commented that currently the Board does not have much control over the growth. He stated that the Board needs to slow down and catch up with what is going on. He commented that the Subdivision Ordinance could be reviewed and changed.

Commissioner James Hallman stated that the Board would need more time than 90 days.

Chairman Louis McConnell stated that the Subdivision Ordinance can be changed without having a moratorium.

Commissioner Terry Brotherton stated that the whole zoning text should be reviewed. He stated that he would like to begin with the section on Nonconformities. He stated that he mentioned this at the meeting on December 2, 1996, and nothing has been done.

Commissioner Beth Saine stated that zoning rules and regulations need to be looked at seriously. She stated that there is not enough industrial zoned land.

Commissioner Terry Brotherton made a motion to evaluate the whole zoning ordinance.

Seconded by Commissioner Beth Saine.  
Unanimously approved.

## **COUNTY MANAGER'S REPORT**

Rick French, County Manager, presented the following memorandum:

### **MEMORANDUM**

TO: Louis E. McConnell, Chairman  
Board of Commissioners



FROM: Rick French, County Manager

SUBJECT: County Manager's Report

DATE: October 15, 1997

1. I have met with Nick Montanez, M. B. Kahn, concerning the old Asbury School building. Kahn will have someone take a look at the structural makeup of the building and give the County an opinion in the next few weeks. "If" the old Asbury School is a doable project—what a good location for Building and Land Development/Environmental Health. The Tax Office could then be moved to the Academy Street building.
2. The signage project at the library should be underway later this month. Please be thinking about the dedication ceremony.
3. A work session has been set for October 22, 1997 to discuss Welfare Reform. County staff also hopes we can discuss capacity fees and finish our discussion on substandard roads. The meeting will start at 6:30 PM at the Citizens Center.
4. The North Carolina Department of Transportation will meet on November 5, 1997 at 2:00 PM in Dallas at the Gaston College, Garrison Auditorium, 201 off US 321. The purpose of the meeting will be to receive information on transportation projects for inclusion in the 1999-2005 Transportation Improvement Program. (TIP).
5. The Employee's Appreciation Luncheon is scheduled for December 3, 1997 at the Citizen's Center. Please mark your calendars for this special time. The lunch will be hold from 11:30 AM – 2:00 PM to allow all employees time to eat without closing down departments. Awards for service will be presented by the County Commissioners between 12:45 PM – 1:15 PM.
6. Enclosed is a memorandum from Mike Lane, Building and Grounds Supervisor, concerning preventative maintenance of mechanical systems.
7. Enclosed is a copy of a "Summary of Legislative Activity Affecting Counties – 1997" from the North Carolina Association of County Commissioners.
8. Also, enclosed are other various types of information for your review such as reports and minutes.

/lh

Enclosures

## **CLOSED SESSION**

Chairman McConnell advised that there was a need for a Closed Session for the purpose of discussing a Contractual matter.

Commissioner James Hallman motioned that the Board go in to Closed Session to discuss a Contractual matter.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

Commissioner James Hallman motioned for the Board to come out of Closed Session.

Seconded by Commissioner Larry Craig.  
Unanimously approved.

## **ADJOURNMENT**

Being no further business to come before the Board of Commissioners at this time, Chairman McConnell entertained a motion to adjourn the October 20, 1997 Regular Meeting.

Commissioner James Hallman motioned that the Board adjourn the October 20, 1997 Regular Meeting.

Seconded by Commissioner Terry Brotherton.  
Unanimously approved.