

Montgomery County Commissioners Meeting
September 7, 2004 ~ 6:00 p.m.
Chairman – William D. Maness “Billy”
Vice-Chairman – Dolon W. Corbett
Commissioner - Sally M. Morris
Commissioner – R.C. Bostic
Commissioner – George H. Knight, Jr.
County Manager – Lee Matthews
Clerk – Laura B. Morton
County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioners met in a regular session on Tuesday, September 7, 2004 at 6:00 p.m. A full board was present. Chairman Maness called the meeting to order and the following was heard:

Invocation

Commissioner Bostic gave the invocation.

Approval of Minutes

In a motion made by Commissioner Morris, seconded by Commissioner Corbett and so the motion carried unanimously to approve the minutes with the corrections.

Public Forum

No one spoke during the public forum.

Planning Board Report

Mr. Phil Henley was present. He explained that an agreement was reached among property owners in Whipowill Subdivision concerning the access lot that has been under disputed use. Chairman Maness said this is one issue we have been working on. He said I would like to thank the Planning Board, Mr. Henley, and Mr. Danny McRae for all of their work on this issue.

Mr. Henley said the agreement was discussed at the Planning Board Meeting on August 23, 2004. He said the board, all but David Wall met with property owners. *He said the board and homeowners came up with the following agreement:*

**Contract Between Property Owners
at Whip-o-will Cove Subdivision**

The Montgomery County Planning Board met on August 23, 2004 at which time the Board received a petition from property owners at Whip-o-Will Cove Subdivision. The petition was requesting the county's help in the encroachment of the boat launch access lot. The Board met with property owners on August 25 and made the following recommendation:

Lot #14 – Owner – James L. Merrill

1. Remove 8' of landscaping timber
2. Move 1 Red Tip Tree
3. Move 3 bushes

Lot #15 & 16 – Owner – Robert Wilson, Jr.

1. Move corner of deck on northwest side approximately 5' off deck and
2. Move landscape stone and flowers off access near the deck.

Any future improvements to be done by the property owner and/or association who own lots 1 thru 28 shall be done at their expense and will be responsible for all work being done.

The boat launch access lot is to be used by Whip-o-Will Cove Property Owners Lot 1 thru 28 only.

The boat launch access lot shall be used for loading and unloading only boat and jet skis, and water craft. No vehicle of any kind or trailer or golf cart shall be left on access lot after unloading or loading. The lot owners will be responsible for all enforcement.

We the undersigned agree to the above contract as set forth herein.

Lot 1 _____

Lot 2 _____

Lot 3 _____

Lot 4 _____

Lot 5 _____

Lot 6 _____

Lot 7 _____

Lot 8 _____

Lot 9 _____

Lot 10 _____

Lot 11 _____

Lot 12 _____

Lot 13 _____

Lot 14 _____

Lot 15 _____

Lot 16 _____

Lot 17 _____

Lot 18 _____

Lot 19 _____

Lot 20 _____

Lot 21 _____

Lot 22 _____

Lot 23 _____

Lot 24 _____

Lot 25 _____

Lot 26 _____

Lot 27 _____

Lot 28 _____

Mr. McRae said the access lot in question was put in at the time the plat was recorded. This is only for Willow Cove Subdivision. He said they said life is too short and agreed on the improvements.

Chairman Maness thanked the Planning Board and Mr. Henley and Mr. McRae for all of their work.

Mr. Merrill a lot owner there was present. He said he thought he could get all of lot owners to sign if he had enough time. Commissioner Knight said this upsets me to listen to this mess. If I do wrong, I expect punishment. He said people have not abided by the law. Mr. Merrill said we did not know about the rules until about 3 years ago. There was some discussion about the surveys being wrong and other problems they have had.

Mr. Knight said it would not keep me from doing what was right. Mr. Merrill said there has been a problem with outsiders using the lot.

Commissioner Bostic asked if the board has jurisdiction. Chairman Maness said no, but it should have been taken care of a long time ago.

Adoption of the Resolution Approving the Financing Terms

Mr. Matthews explained this resolution. He said this resolution is approving the financing terms on the lease purchase of the three Sheriff Patrol vehicles, and the pickup trucks for Animal Control and the Inspections Department. These vehicles were previously approved in this year's budget using a lease purchase agreement. BB&T gave us the best rate at 3.21%. The vehicles were purchased based on the best quotes received. He said a copy of the lease payment schedule is in the agenda packet.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve the resolution approving financing terms as presented.

Adoption of Resolution In Support of Amendment One

Mr. Matthews said this is a local economic development toll to create quality jobs, revitalize communities, and attract new economic opportunities. He said it is my understanding that North Carolina is one of only two state that do not currently have the authority to issue these types of bonds. The NC Association of County Commissioners has endorsed this proposal and is asking all 100 counties to adopt the resolution of support. This will be a state constitutional amendment on the statewide November ballot.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve the resolution in support of Amendment One.

Adoption of Resolution Requesting State Revolving Loan Funds

Mr. Matthews said in your packets there is a copy of the resolution applying for State Revolving Loan Funds to help fund the proposed next round of county waterlines. He said we are also asking you to authorize the Manager to be the designated agent for the county, in order to sign the required documents as part of the loan application process. In a motion made by Commissioner Knight, seconded by Commissioner Morris and so the motion carried unanimously to approve the resolution requesting State Revolving Loan Funds.

Items Carried Forward to the Regular Session

Town Radio Fees

In a motion made by Commissioner Bostic, seconded by Commissioner Corbett and so the motion carried unanimously to approve the per capita income for the town radio fees.

There being no further business, the meeting was adjourned.