

These minutes were typed verbatim.

**Montgomery County Commissioner's Meeting  
November 14, 2006**

**Chairman – William D. Maness  
Vice Chairman – Sally M. Morris  
Commissioner – Dolon W. Corbett  
Commissioner – R.C. Bostic  
Commissioner – George H. Knight, Jr.  
County Manager – Lance L. Metzler  
Finance Officer - Cathy S. Baxter**

**Clerk to the Board – Laura B. Morton  
County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioners met in a regular session on Tuesday, November 14, 2006 at 6:00 p.m. in the Commissioner's Assembly Room. A full Board was present. *Chairman Maness called the meeting to order and the following was heard:*

(Attorney Russ Hollers was also present.)

**Invocation**

Rev. Jeanette Parsons, Soaring Eagles Fellowship gave the invocation.

**Public Forum**

Chairman Maness said Mrs. Karen Nash requested to speak during the public forum. Three people have yielded their time to her so she has nine minutes to speak. Mrs. Karen Nash of 114 Skyline Drive in New London (Dixie Shores) said she was back again to ask why hasn't a meeting been set with Handy Sanitary, and if we can't set a meeting up with Handy (it looks like we are going to have to get Roy Maness to set the meeting up), if we can't meet with Handy, why can't we meet with you folks to tell us why you can't help us. It is kind of like, we are out there on a limb, we are on a boat and we have been pushed out there, we are drowning, and you all are just watching. If we can't get any help out of the County why can't we go to Davidson County to be annexed into them? They are getting our money . . . you all are getting our money and they are getting services. So, why don't we switch roles? That is more less it, have you talked with Handy again? County Manager Lance Metzler said Mr. Chairman, my assistant and I have made several contacts to meet Handy and they have not been able to schedule a meeting with us, but we will continue to try. Mrs. Nash said it just doesn't seem fair that we can not get any response from anybody, and like I said, we feel like we are drowning and you all will not throw us a raft. Chairman Maness said I have a question, if the Commissioners do not mind, He said I know during the public forum we normally don't, but this is a big issue. He said (to Mrs. Nash) the main issue you are asking us to talk to Handy about is the mandatory hook-ups. Mrs. Nash said we want a meeting with Handy and some of you all to figure out why they are doing us the way they are doing us. If we can't have a meeting with them, then why can't we have a meeting with you all to see why you all can't help us at the lake? You all get our money and we get nothing.

Chairman Maness said we have our County Attorney with us here tonight to speak on that tonight, to speak on the relationship with Montgomery County and the relationship with Handy. I would like for him to come up after you get finished. I would like for him to get up and go over with us where we stand with this. Mrs. Nash said it is just disappointing when you hear one of the Commissioners out at a public place and several people involved in this say I don't know why you all keep coming up there, we can't do anything for you. Chairman Maness said I don't understand that. Mrs. Nash said that is all I have to say. Chairman Maness said thank you and asked Attorney Hollers and County Manager Metzler to kind of go through and explain the Handy situation.

Attorney Hollers said I apologize for having my back turned, by you can probably hear better if I speak into the microphone. He said I don't know if we all understand it completely, but under the statutes of the State we have distinct bodies that takes care of certain things (County Commissioners do the Counties, the Towns control the business within the towns). He said the Legislature has seen fit to form these Sanitation Districts that are created by the State Health group that does not recognize particularly County lines, but it does say that it can not go into a town that has sewer, for instance, collection. There are certain statutory provisions that are not set by the Commissioners or the Towns, but by the State Health Committees and Director and they have to go through certain things to create these districts. Attorney Hollers said one of the things is a vote by the folks in the areas where the Sanitation District is to be formed. He said I don't have the independent recollection, but I did look at some papers and back in 1974 is when the district was formed and that is before most of you had property in the area. There is a procedure to be included in or being added to the Sanitation District and there is a procedure to get out of the Sanitation District, but you have to follow the rules set forth by the Legislature. The County Commissioners can't tell Handy Sanitation District to do anything, the Town of Troy can't tell Handy Sanitation District to do anything, and the Davidson County Commissioners can't tell Handy Sanitation District to do anything. Attorney Hollers said it is my understanding in talking about the monies, you were saying the County takes money and they don't do anything for you, I assume that is what you were talking about the Sanitation part. Mrs. Nash said no, I was talking about our tax dollars. Attorney Hollers said that is not what supports the Sanitation deal and the taxes. They are the ones that charge for that service, I can't get into the services they are not providing. I am just talking about this one, the Sanitation District that does that. They have to power to collect taxes, powers to get grants to pay for systems that are installed. Again, there are procedures the Legislature set forth, the County did not set them forth.

Attorney Hollers said the County's role, I have seen in some of these matters, is to try to be a pressuring force for the Sanitation District, to be on the level, to be up front, but they don't make the decision. They are not the ones who pay the engineers to do the study, the County doesn't, and it is all up to Handy Sanitary to do that. That doesn't mean they are dodging, that just means, many, many years ago the people in that area voted to be in the Sanitation District. Attorney Hollers responded to a member of the audience and said you all were not around, but they voted to be in the thing, it had to be formed that way, I can't swear to it because I wasn't there. Several members of the audience spoke out. Chairman Maness said we are going to let him speak and if anyone wants to come up after he speaks that is fine. Attorney Hollers said it just doesn't happen. You don't just get two or three guys or gals to form a sanitation district, it doesn't work that way. I don't know what collective memories we have about, it is statutory and it has to be done according to the statutes. He said at the time it was formed, the County

had no particular interest in going up into that area and taking over the sanitation in that area and I don't think Davidson County did as well, but they have endorsed the idea of having someone in control of doing that. The County can't displace the judgment and public relations efforts that have gone on by Handy. I am not defending Handy, I don't know all of what they have done and said, and I have read it just like you have in the paper. Many of you are intimately involved. The County Commissioners can be interested in it and they can try to put whatever will they have toward the decision making process of the Handy Sanitary District, but the County can not go into that area and form a Sanitary District as long as Handy is operating in that area. It is just like one town can not go into another town, it is a governmental authority. It is legislative and set forth in the statutes, that is what is it for because some Counties are more rural than others and some Counties would not go out into certain areas and provide these services. It is unfortunate that the Counties don't have the money in the world to go out and have all the sewers and sanitation systems in all the County, to that is the way the statute was set up. He said I would say if you have any "clout" to be wielded by the Commissioners would be to keep encouraging them to have the Sanitation District to be as fair and to be as straight forward to you as they can. They can't make them do anything; I mean they can't do it. I don't know if that is satisfactory to you, because that is not what you wanted to happen, but that is just the way it is.

Mrs. Nash asked if Handy defaults will Troy come in and run in. Mr. Hollers said I really don't know that. I don't know if there is default. I think as long as there are bonds and such like that they have to resolve that to be taken out of their system. If not, there would be no people to help pay for doing it. I am not saying it is good or bad, I am saying the Legislature has set it up. Frankly, some of the stuff . . . I haven't been to the meetings, I have read it in the paper, it seems to be some conflicting information. Surely you can get the low down about the facts of what is going on, obviously, press the Commissioners, I think that is what they would want is to know the truth of the matter. I can't tell you who is going to do what if you weren't in it. I think Troy's interest is to utilize the capacity they aren't using because of the closings of the mills and industries, they do have capacity to treat the sewage and I think that is there interest. That is all I know to say.

Mrs. Nash said you will still try to have a meeting with them. Mr. Metzler said I will try my best to have a meeting with them. Mrs. Nash said it is dragging on too long and it is getting bigger and bigger and we are drowning. Mr. Metzler said I understand and I will continue to try.

Commissioner Knight asked if he could ask a question of the attorney. Chairman Maness said yes. Commissioner Knight asked Attorney Hollers asked what statute was that. Attorney Hollers said 130A-146 the Sanitary District Statute, which is the creation by the Commission. Commission is defined as the Commission for Health Services, which is the State Commission Mr. Knight.

Commissioner Knight said you mentioned something about being able to disband, is there anything in the statutes that says if these people wanted to get rid of Handy in that area, how they would go about doing it. Attorney Hollers said there is a provision in 130A-71 Procedure from Withdrawing from District. It talks about 51% of the resident free holders of a portion of a sanitary district which has no outstanding indebtedness. Mr. Hollers said I am not familiar with the practicality of that, because it may be there is no outstanding indebtedness down in our County. Normally, if the whole sanitary district if they had bonds passed would be in debt, and

how you would get around cutting out a part of it, I don't know the practical effect. It is 130A-71, Procedure from Withdrawing from District. It usually it looks like if there is there is nothing owed, there is no reason to have a Sanitary District. Commissioner Knight said it is 51%. Attorney Hollers said yes 51% of the resident freeholders. He also told the Board he would be glad to furnish them a copy of the General Statute.

Commissioner Knight said would you please and asked if this is for profit organization. Attorney Hollers said it is a government entity just like you all are. Mr. Knight asked if we as a County Government have to support that organization, is there anything in the statutes that says the County Government has to support them, do we have to furnish them water or anything. Attorney Hollers said I don't know of anything in Statute. Mr. Knight said so we as County Commissioners can agree not to do anything for them if they are not treating our people right. Attorney Hollers said I assume you could. I assume they could enter into water contracts if they have to buy it from Alcoa or whoever. Chairman Maness said I don't think we are selling them water now. County Attorney said I am not aware of any contractual agreements between the County and Handy.

Commissioner Knight said I know we provide them money to enlarge their pipes, or whatever. County Attorney said that might bring some pressure to bear. Commissioner Knight said that is what I am saying; we don't have to support what they are doing, if they are not treating our people right. I call anybody living in Montgomery County our people. Attorney Hollers said yes sir. Mr. Knight asked if we could use a portion of our tax money, since they are paying the same amount, to help foot the bill that they are having to foot with Handy. In other words, we should be servicing those people just like we service anybody else in the County with their tax dollars. The audience clapped. Chairman Maness said we will not have any clapping tonight. This is a public meeting and we are going to handle it as a public meeting.

Commissioner Knight said what I am trying to figure out is we use tax dollars to give certain support to certain people in this County, these tax dollars go for different services (police protection), since there are services that we are not giving these people, would it be legal, and I don't want to do anything illegal, would it be legal to take a portion of our tax dollars budgeted for those people up there to help support the burden that Handy has put on them. Attorney Hollers said you will have to ask Lance to answer that question, because I am not a financial expert. He said I don't know how you would favor would group over another group as far as general funds, but I am sure that might can be arranged, I am just not sure how you would go about it. Commissioner Knight said I am not talking about favoring any group. It seems that we are favoring everybody but them, I am saying giving them the same amount of tax dollars that we are using for everyone else.

Attorney Hollers said they are in a Sanitary District that they became a part of, and that is just like, the Town of Troy or the Town of Candor, they do their thing in their town and in their district. If you want to go give the Town of Candor \$200,000 to run a certain program over there, I don't know if they would object to taking it, I don't know if the Town of Troy or the Town of Mt. Gilead would feel kindly about that. I don't know, I am not one to judge that, as far as the General Fund, Mr. Metzler can tell you, the application of these things you have great latitude in what you can do.

Commissioner Knight said we turned over the sewer line over to Mt. Gilead, that was money from the County, money the County could have been making, do you understand what I am saying, there was some hook-up money. Attorney Hollers said maybe that wasn't a good example. I certainly understand what you are saying. There was no money put in by the County. There are all kinds of examples I could cite.

Commissioner Knight said what I am trying to do is to see if there is any way these people that are living there today that are getting caught up in something that happened years ago. Now that our County is kind of growing a little, we are running water and we are getting sewer to our own people, we don't really need them anymore, this is the way I am looking at it; we can service these people ourselves.

Attorney Hollers said I haven't been involved in it, but I understand, there are various applications for funds as to how successful they have been and as to who qualifies, and I don't know that. I would think anyone who is trying to do good in the district would explore all avenues to make everybody be a patron of that service and also to help their own circumstance and to help the health in the area. I am sure no one is doing anything to the detriment of it. I am sure there are efforts; maybe there are some different efforts that are being explored, I don't know. Commissioner Knight said I would just like to explore all of these different efforts that we as Commissioners could make or take a look at or something, because this is not going away. Then, too, it seems to me there is a law there, making it mandatory for our people to pay their prices and use. . . what if everyone up there decided we don't want your sewer or water.

Chairman Maness asked Attorney Hollers if he said 51%. Attorney Hollers said yes, you always have some percentage in the statute to get out of the area or zone. You can't pick and you can't pick, 51% of the whole deal, now whether all of the folks in Davidson County and some of the people from Montgomery County with benefits will vote to abandon it, I don't know. We are looking at it; because we are made to, look at it apparently folks, on a County by County deal, as a separate zone. We have Water Districts in the County. We have two. They are not just in certain townships; they overlap and have funny lines. That is sort of the same basis, all of the governmental things, like voting, the 8<sup>th</sup> District, you are in several Counties.

Commissioner Morris said the district has to be debt free. Attorney Hollers said that is what the statute says I don't have any practical information, I don't know if there has ever been one that has withdrawn. I don't have a clue. I didn't get into an in depth study about it.

Commissioner Bostic said I think at one time when this thing came up a while back, there was some research done, I don't know how accurate it was, we were told if we pay them whatever the infrastructure cost in order to take the services over. Mr. Bostic said that has been years ago.

Attorney Hollers said I'm not familiar with that, didn't tell you that. Mr. Bostic said I know, but we talked about it when D.T. and those were on the Board, we were having problems then, he said I don't know how accurate it was. You might could research it, I am not saying that is exactly true. Attorney Hollers said I will be glad to look, call, and do. There aren't any "cases"; you have to call the Health Commission and have to see if there have been any withdraws and if so have there been any partial withdrawals or cut-offs. If you do so, obviously, you have to

deal with more than just that, you have to deal with all the Health officials and everyone that has anything to do with what is going on up there, it is not just your decision, unless you want to pocket the whole thing and run it. I don't think you want to do that because the State preempts to Health Standards. I will be glad to look at it if you want me to, I will be glad to do that. I think as stated before, you all have to kind of decide among yourself how much influence you want to press and how you are going to go about. That is not anything legal, just like anything else. Chairman Maness and Attorney Hollers asked if there were any more questions. Attorney Hollers said I will look for that Mr. Knight and see if there are any practical things that might come about. Chairman Maness said I think it would be good to have a full board meeting with the Handy Board at Handy. He said I have always been one to support the sewer system, but I want to be fair to the citizens of Montgomery County and would be a good thing for the future of Badin Lake to keep it clean. Maybe we can't get that meeting lined up or if they have a public meeting go to that. Commissioner Knight asked if Attorney Hollers could go ahead and look into some of these possibilities, we need to start looking at what we can do about it. He said we could go ahead and have all of our meetings and all of that. This problem is not going away and we need to start looking at it. Chairman Maness said if he can look at every issue with Handy and no where our guidelines and what we can and can't do will be good information. Attorney Hollers said well, it is going to be your influence as to what you are going to do and how you are going to vote to do. Statutorily, you can't do anything about voting them out or impeaching them or anything like saying they are bad folks or good folks, because they are a separate group just like you can not tell the Davidson County Commissioners what to do. They are involved just like you are involved. You are not the man in this case. Chairman Maness said if you will get something in writing to the Commissioners and Lance, I would appreciate it.

Commissioner Knight said one more thing, they really don't have to meet with us or talk to us. That is why I said maybe the attorney could go ahead and see what he can find out what we can do. Our Manager has tried to set up meetings with them and they don't want to talk to us. Chairman Maness said at the next public meeting if you can't get a meeting set up then we will just go to their meeting. Mr. Metzler said okay. Attorney Hollers said you can do that.

**Mr. William Norman** who has lived on the lake for 37 years said there was never a vote on this. He said there has never been a vote. Attorney Hollers said I can't argue with you because I wasn't there. Mr. Norman said another thing 75% of people who live up on the lake live in other residences. So they can't even vote for Handy Water Board Members so they sort of have us under the gun there. When 75% can't vote for them you can't vote them out the same ones are staying on the Board forever and no one can get them out. If you are a user of Handy Water even though you live somewhere else, there should be a separate ballot if you have to take their services. If it is going to be mandatory would you all think? Commissioner Knight said yes. Attorney Hollers said I don't know I have never dealt with them . . .we can . . . Mr. Norman said the problem up there is they want \$7,500 for a tap fee, then you have to hire your own plumber and electrician, and then purchase a generator 'cause you don't have any holding capacity when the power goes out. You can't flush the commode if you don't have a generator up there. Attorney Hollers said you are preaching to the choir, I think. Mr. Norman said I think I am too, but I am used to that. Attorney Hollers said they can't change it, they can talk to them and meet with them, they can use their influence, but they can't make them do anything. Mr. Norman said yes, but they could use their influence because if they don't let them pump down here, they can't do it to start with. Attorney Hollers said I am not sure what you mean by that. Mr. Norman said Handy has tried for 10 years to get a system up there and can't, they don't

have anywhere to take the sewage. Attorney Hollers said that is not the Commissioners that is the Town of Troy. Mr. Norman said well the Town of Troy then they couldn't do it.

**Mr. Jim Matheny** was present. He said there are many residents at Badin Lake that do support the sewer project who are very much in favor of it and think it is very much needed for the community and for the future of Badin Lake. Currently, at Uwharrie Point, where I live (outburst from the audience) is the only area that . . . Chairman Maness said Mr. Matheny excuse me, the next time there is an outburst, I will shut this meeting down, if I continue to hear outbursts, I am not having it. I have said it before and I will say it again, this is a public meeting and we are going to handle it in a proper and professional way. Chairman Maness apologized to Mr. Matheny and asked him to continue. Mr. Matheny said currently we are the only community who has the sewer system and currently the hook up in Uwharrie Point is more than they are proposing to charge the new customers by a significant amount and has been for sometime. The people who are hooking up will get a significant break on the hook-up fee, which I understand will eventually be \$3,500. I have never heard it would be \$7,500 at any of the public meetings which I have attended. The other thing I would like to clarify is that water and sewer must be self-supporting. Does the County use tax dollars to support water and sewer? Mr. Metzler said no sir. So I think that is a big misconception, so whoever provide water and sewer to Badin Lake, if anybody ever does, will cost the same regardless if it is Handy Water or Montgomery County, the Town of Troy or whoever. There seems to be a misimpression that everybody at Badin Lake thinks they don't want this sewer. It is my opinion that the majority do. Now, we do sympathize with the people who absolutely can't afford it and we hope some accommodation will be made. I want to make the pitch that most of us do want the sewer system.

**Mr. Wayne Myers** of Lakeshore Drive was present. Mr. Myers said I live in High Point, but have a place at Lakeshore Drive and have since 1951. He said I was 17 years old when I bought the land. I built a new house there in 1999. He said I have a low pressure septic system that was approved. I passed all there rules and regulations. I spent \$8,000 for that septic system and they say I can't use it, and I am not on the water, I am across the road from the water, so I am not in any danger of polluting the water. I don't see why I can't use my system like it is. Another thing this Sanitation District did not start until about 14/15 years ago and it started out as Handy Water in the 70's and I was one of the initial sign-up. I paid \$35 for the hook-up. I didn't use a drop of the water until 1998 when they started building my house, but I paid the water bill every month, and they threatened to cut my water off if I didn't join. They aren't cutting my water off, I haven't done anything wrong, and I think we should do what is fair and square. I don't know what these people were thinking; they said 10 or 12 years ago when they started it was going to be a voluntary thing, and if they couldn't get enough people to sign up for it, they were going to abandon it and give back what is left, but now they are not doing that. They have already spent all of that money probably. They wanted everybody to sign up and pay \$1,500 to start with, my sister did that, she is on the water, about a block from me. They had 600 and some signed up for it and still have some signed up for it. We are not again the sewer part, just the mandatory part, just mandatory don't get it. He said thank you.

**Mr. Dean Ross** of Davidson County appeared before the Board. He said he owns some places at Badin Lake. I heard you mention earlier that Montgomery County is doing better, Montgomery County is doing pretty good, will you all keep in mind that about 60% of your tax dollars come from this Badin area. I don't know if that has been mentioned to you or not. I am

not against the sewer myself, I am against the mandatory. There is no need for people who have paid three or four months ago \$8,000 or \$9,000 for an approved septic system who had to change house plans when they built it because of where it sits, and if they sell the home, if that is what they plan to do they are going to have to pay the new buyers they are going to have to hook-up to the sewer and will have to pay as much for their water and sewer as they do for their electric bill. Mr. Ross said I don't know how many people agree with me, but I am sure you have read the papers and see we are not a small amount.

**Ms. Nancy Henley Denyse** appeared before the Board. She said I wanted to say I agree with what the other two have said. I am in favor of the sewer, because the one thing I would like to leave to the lake and the next generation is clean water, but I had to rebuild in 1974 because my house burned and we had to get a new septic system. Mine went out again after I paid the \$1,500. I am in with the pump and everything. Then in 1998, I had to put in an \$8,000 system with a t-pump on a 50 foot lot and now they want to take it away. If they would just give me time for mine to give out and let me hook on then I would hook on. Why does it have to be mandatory? Chairman Maness said we will ask those questions, and asked for her name again.

**Mr. Tom Weaver** of Fairway Shores appeared before the Board. Mr. Weaver said I do not have a dog in this fight; didn't the County just allocate \$750,000 to go toward the Handy Sanitary District? Chairman Maness said no. Mr. Metzler said to go toward the pipe. Mr. Weaver asked if they couldn't use the \$750,000 for a little leverage. Chairman Maness said the County set aside \$750,000 to upsize the line going to River Road if need be. Mr. Weaver asked who will own that line. Chairman Maness said if the line is ran the County will own it and it will be a County looked after line. Mr. Weaver asked if it will run into the Handy Sanitary line. Chairman Maness said it will hook into the line coming down 109 which I believe will be the Town of Troy's line. I think that is how it works. Mr. Metzler said I am not sure about it. Mr. Weaver said I am not sure of all of the ramifications of it, but if we allocated that money or set aside to possible use, then maybe use it as possible leverage to Handy and say we are not going to spend this kind of money if the people are not treated right. Chairman Maness said I agree that the people need to be treated right, but I hope you understand that Handy could careless if we run the line down River Road. They don't care, they don't care if we run the line. Mr. Weaver said I didn't know what the deal was, I know you all set aside \$750,000 for something to do with the sewer.

Chairman Maness said one thing we need to make clear is a majority of the Board agreed to set aside \$750,000 to upsize the line if need be. That money is still sitting in our account. Mr. Weaver said okay, I didn't know what the agreement was. Chairman Maness said if we need to upsize the line to 24/27 to eventually get the line to (eventually), if Badin Lake is covered then we will have the whole lake covered by your place and eventually it will get to your place. Mr. Weaver said I hope so, but don't make it mandatory. Chairman Maness asked if anyone else would like to speak.

**Mrs. Patricia Marshall Harris** was present. She said I guess you all are tired of looking at me too, but I'm not going away. Chairman Maness said no ma'am. Mrs. Harris said we are involved in the Say No To Mandatory Group. We want to make a correction because some of them are putting it their way, we are not against the sewer coming through because Billy, we know you Ralph, Dolon, and Lance are on that Infrastructure Committee and you all want this thing regionalized and we understand that. I am sure there is some interest in everyone

involved in that Infrastructure Committee except you Ralph because I know you don't have anything up that way, but I do want to say this, you all know that is not fair. Lance you and Billy are meeting with Handy pretty regularly because your names are showing up pretty regularly so I know you are not playing dumb to the fact that you don't know what is going on, because I know you do because you are in that 21<sup>st</sup> Century Strategic Plan, you all give us three minutes to sit up here and speak, but I know what Strategic Plan was written in three minutes, it was about a year with that project. I want you to know we know, I sit back there and listen to what your attorney said and Ralph you are right, that I saw in some of the statutes that the County can buy some of those lines and I am certain you will be running the lines down the road, but it should not be at our cost. If you all can charge VK Development to hook up to that line \$1,000 per tap that is what we should be able to tap on for. Right now that \$3,500 is ridiculous, that guy said he doesn't remember \$7,500. That is in Handy's papers. The first of the year it was going up to \$7,500 per tap, but because we got involved and let them know that those 1100 failing septic system was a lie and not correct, they had to change off and hold off and say it would eventually go up to \$7,500. Now the thing is, I know that you and Lance have been meeting with Handy and you all can put some pressure on Handy because every time you all are with them, whether here at the Town of Troy or at Handy you are talking about this project because this infrastructure thing you are on, the committee, and I know you want to regionalize it. It's good, it is all good, and I have grandkids to. One day we will want good quality water, but right now they are lying to get the money to get it, you know there are not 1100 failing systems out there, if so, why hasn't Alcoa shut down the water down and why are the fish dead? None of that is happening because there are not 1100 failing a system that is how they got the \$3,000,000. All you have to do is get people together and run the line at one time and charge the same amount across the Board. I know you are going to get in on this line where it is going to T at Mullinix's and that is where the County is going to make their money. I want you to know we are up on it and we are looking at it. Another thing if you all are not going to make sure that things are good for us, \$1,500 across the board then why do you continue to take our tax dollars. Then why? If you are going to continue to take our tax dollars, then we might as well get a group together and go up to Davidson County and tell them to annex us in. They are giving us water and sewer, so they might as well take our dollars.

Chairman Maness asked if anyone else would like to speak. No one did. He thanked Attorney Hollers for being at the meeting.

### **Consent Agenda**

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approval the following items on the consent agenda:

- Approval of September 19, 2006 work session and regular session minutes
- Approval of October 3, 2006 work session
- Appoint Patricia McCormick to serve on Pee Dee Workforce Development Board
- Budget Amendment 11/07 – Health Promotion - \$1,000

### **Planning Board Report**

*Mr. Phil Henley presented the following case:*

#### **Uwharrie Marine – Rezoning Request**

Mr. Henley said this is a rezoning request located on 24/27 west of Troy located before the bridge. The people have been able to obtain 3.72 acres beside of it and their rezoning request is to rezone this tract of land from R-1 to Commercial to add to the existing commercial district. Mr. Henley said this request was advertised for two weeks, the property was posted and the adjoining land owners were notified by certified mail.

The Planning Board heard the request. There was some discussion about the rezoning and a call about the rezoning but more or less just questions. The Planning Board approved and recommends for approval the rezoning request from R-1 to Commercial with a conditional use to operate a Marina Sales with condition also that the owners put up a privacy fence which would shield the repair boats behind the marina not the boats up for sale, but the area behind the marina would be fenced off with a privacy fence. There was some concern about the existing clutter that was the reason for the request. Mr. Henley said the Board did vote a unanimous vote to approve the request with the conditions.

Chairman Maness asked if the Board had any questions. Commissioner Knight said Mr. Chair I have some questions for Phil. Mr. Knight said with the plans to bring the four lanes of 24/27 through that way, do we in the County know where that road is planning to be run. Mr. Henley said it is going to be on their side of the road, the last thing I heard from the State. It is not going to take a large portion, I think I am correct, they are not going to make a four lane, but a two lane with a turn lane in the middle until they get passed that intersection then they are going to a four lane. Mr. Knight said I was looking at this map and trying to figure out this map here that we have and it looks as if this property you are talking about is about midway of River Road crossing and BP station at the intersection, midway between there and the bridge. Mr. Henley said yes sir.

Mr. Knight said I was trying to make sense about the fence they were talking about putting up. I have notice riding along other freeways and interstates and busy roads, we didn't have a lot of fences and things along the road unless there were developments there and they had the brick walls or what have you. Do we have any plans in place as far as how things are going to look? Mr. Knight said I am familiar with the area and I was wondering about those two old raggedy trailers are doing out there for everybody to see. Is this person going to be that kind of person on the road there? Mr. Henley said I think they are planning to move the mobile homes, correct? Mr. Mike Partridge was present and said yes sir. Mr. Knight said the fence itself, will it be shielding some things from the traffic going by. Mr. Henley said it will be just from the building back that is where they keep their boats that are there for repair or some they have to work on. They are not trying to fence off from the road because they have to show the boats they are going to sell; they were only going use the fence for the repair area behind the building.

Commissioner Knight said I believe that right of way was 150' coming through that area there. Will that be enough to build the road? Are we preparing? Usually when they are building roads they go and get property from people, move houses and all of that. Are we going to allow any new construction go in there that will have to be moved before we start building the road? Mr. Henley said it will take some of their front parking they have now, but I don't think the stake was far back on the property? Chairman Maness asked Mr. Henley to have Mr. Partridge to come forward.

Mr. Ron Partridge asked Mr. Knight if he was asking where the property line ends? Mr. Knight said no, if the property line ends, given the 150' right of way, they might need more than 150' and if your building and you are putting things. . .I know they are going to have to purchase land, you all will have to move back or something. Mr. Partridge said we think we have a good offset. We are not planning on building anything any closer than the building is now, all that are is going to be is essentially a parking lot and a storage area. There is no construction planned at this time. Even if they do take part of the property that will still leave us plenty of room to park and offset for future development there.

Commissioner Knight asked Mr. Henley if there was any way to get more information on this road so that we have people who want to start businesses so we can advise them or do something where it won't be a problem in the future because I am looking for it to develop in that area and along that road. Mr. Henley said yes sir. Mr. Knight said this may eliminate some problems down the road there. He said and too, I know with something like that coming through, people are going to want to build and all of that, I noticed that we are taking some R-1 property and turning it to Commercial and anytime you have Commercial property, the property you are selling next to Commercial property is not valued like property that is away from Commercial. Are you considering all of that too? Mr. Henley said yes sir, the Planning Board has.

Mr. Henley said I have a proposed map that DOT has provided and if it doesn't change it will not take much of his property area, but they will have a good offset. Mr. Henley said you know how that goes; it may change and go to the other side. Commissioner Knight said none of the landowners had anything to say about that. Mr. Henley said I don't know, they contact all of them, it comes across the BP parking lot and goes up the hill. He said they had stakes there at one time, I thought it would go farther on that side that it shows, but according to the stakes it won't. Mr. Knight said I know in Planning, somewhere down the road, we have got to plan land use because we can't just scatter commercial everywhere, but we need certain areas where we need commercial because people are going to want to develop housing developments, you need commercial and residential so we don't want to scatter residential all up and down the road. Mr. Henley said there are several tracks in the area that are already Commercial Property (he named them). Mr. Knight said so we are going to try to keep all of our Commercial area in one area. Mr. Henley we are going to try to.

Mr. Metzler said Mr. Chairman I think the Land Use Plan we have contracted with the Piedmont Council of Governments, that would be a good idea with Hwy. 24/27. He said right now they are collecting data so that we can meet with the Commissioners on that. We will have them include that in one of their pieces with 24/27 throughout the entire County. He said I will pass that on to them once we get it.

Commissioner Corbett said I can address part of this. I own the home and property next door. They are taking my home and one next door to me the real estate office. We had a meeting with them. They had a public hearing a couple of years ago. They are not taking their property only a small slice. Mr. Corbett said they are only taking three houses according to the original plan. Now, they have moved it to 2013. Commissioner Knight said I know it is coming so we might as well be ready. Mr. Partridge said I think this small partial was the only partial zoned residential in that little area there and there are two trailers that we do plan to move.

Commissioner Knight said I am not against the Commercial Zoning, I am just would hate for Commercial to be scattered everywhere and people wanting to build next to Commercial.

Chairman Maness asked Mr. Henley to show him exactly where this property is on the map.

Commissioner Corbett said they are good neighbors.

Commissioner Knight said I don't want you to think I have a problem with your business, we need your business, especially boats you all will have a good business there, we just have to think about people who want to build along that road also.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to uphold the Planning Board recommendation and approve the rezoning request from R-1 to Commercial with a conditional use to operate a Marina Sales with condition also that the owners put up a privacy fence which would shield the repair boats behind the marina not the boats up for sale, but the area behind the marina would be fenced off with a privacy fence.

### **Waterline Update**

Mr. Brad Bucey with Upchurch and Associates was present with give a waterline update. He said Lance invited me to come and give you all an update on where we stand on the water project. He said I have an updated schedule of where we at along with a map that shows where the waterlines are going to go so you will have it when you are dealing with your constituents. Mr. Bucey said when I was last here two months ago; we looked at a bid date of December 15 and looked at a February 15 date for construction to start. He said I want to give you an update on where we are at now. We have received our Findings of No Significant Impact (FONSI), which is our Environmental Clearance we did receive our Authorization to Construct with Public Water Supply. He said Lance and I attended a pre-solicitation meeting with NCDENR to go over all of the ground rules of bidding the project including how to implement the Minority Outreach Program that Montgomery County has. This Friday, November 17, we will be advertising for bids in the Courier Tribune in Asheboro for a bid date of December 19 for the main project which is the Montgomery County Water System Misc. Phase II, which is the 50 miles of water lines. I did make a mistake; I intended to advertise in the Montgomery Herald, but missed the deadline which would have allowed the December 15. That is why I had to advertise in the Asheboro paper. We will also advertise this in the Montgomery paper as well. If we would have waited for the following Wednesday, it would have pushed our 30 day window into the Christmas week and we wanted to have bids before then. So, moving on with the schedule (which is as follows):

### **Montgomery County Water System Improvements, Phase II Implementation Schedule (DEH-0998) – November 14, 2006**

Sept. 26 <sup>th</sup>	Issuance of "Finding of No Significant Impact"
October 4 <sup>th</sup>	Issuance of "Authorization to Construct"
October 30 <sup>th</sup>	Attended Pre-Solicitation Meeting with NC DENR / PWSS
Nov. 17 <sup>th</sup>	Advertise for Bids in the Asheboro Courier Tribune

- Nov. 28<sup>th</sup> Pre-Bid Meeting for Prospective Contractors
- December 5<sup>th</sup> Anticipated LGC Loan Approval in the amount of \$5,137,779
- December 19<sup>th</sup>** Bid Opening Date for "Montgomery Co. Water System, Misc. Water Mains, Phase 2"
- December 22<sup>nd</sup>** Bid Opening Date for "Dry Creek CDBG Project" consisting of 3.2 miles of water line identified as Line W-13
- Jan. 9<sup>th</sup>, 2007 Approve award of low bid(s) contingent on NC DENR and LGC approvals
- Feb 5<sup>th</sup>, 2007 Anticipated Part B Approval by NC DENR and LGC. Part B includes submittal of bid tabulations, engineer's letter of recommendation, MBE requirements, cash flow projections, and miscellaneous other documents following the bid opening. This is typically a 6-week process from the time of the bid opening date.
- Feb 15<sup>th</sup>, 2007 Anticipated Construction Start Date

Please note - The following lines have been previously identified and petitioned; however, they were not included in the approved Preliminary Engineering Report (PER) or Environmental Assessment (EA) and therefore are not currently identified in the project scope or on the attached map:

Lucas Road:	5,010 LF (already designed)
Parker Road:	1,436 LF (already designed)
Pemberton Rd:	750 LF (already designed)
Pee Dee area adjacent to Hwy 73:	(not yet designed)
Cedar Creek Road:	(not yet designed)

Following the receipt of bids; HUA and Montgomery County will modify the PER and EA and request a change order from NC DENR to expand the scope.



To include these now, it would have delayed the process even more. At our pre-solicitation meeting with the State, Lance and I approached this issue with Public Water and they recommended that we go ahead and receive bids and then we approach them and go ahead and proceed and after we receive bids approach them about a change order. Based on the funds available and where the bids come in address as a change order.

Chairman Maness said there is one I got a call about off of 73 out of Mt. Gilead around Yank Road; it wasn't marked in red on the last map you gave us. The people have been here for the last five years with a petition and all were signed up and it is not on here. Chairman Maness asked the Board to make sure all the roads they have concerns about are on the map. Commissioner Corbett said I called in on that three or four weeks ago and they told me it was on there. I had three or four questions in that area. Chairman Maness said I didn't see it marked. Mr. Bucey said if it is not on the map it is not included in the project.

Mr. Metzler said there is another one that was left off and that is Mrs. Wood that was left off the project as well. Chairman Maness said you just need to check into it. There should be a petition in there. He asked the Board to look at the map and see there aren't any roads on there, please call him and he will get it on there.

Mr. Bucey said we also need to look at what the need is. Sometimes we get petitions and people sign the petition because their friend wants them to sign the petition and we need to make sure there is a valid need there. We need to make sure people are going to hook-up because if we run dead-end 6" lines and we don't have anybody to hook up, then that presents staff with a problem making sure those lines are flushed and turned over and we don't have problems with stagnant water. Chairman Maness said this line does not dead-end and they have been here numerous times. Mr. Bucey asked if there was plenty of interest. Chairman Maness said yes, it had arsenic. Mr. Metzler asked which road? Mr. Maness said close to Yank Road. He asked Mr. Knight if he knew where he was talking about. Mr. Knight said yes. Commissioner Knight asked who made these decisions right here on these roads, because I remember when we talked about roads, Pemberton Road was in red at one time, Pemberton and Parker Roads are right there in my community and I know they turned in their petitions. I thought when they turned in their petition; we had their signatures and already knew how many were going to sign up. So I thought all of this is in place, so we didn't have to worry about going back and getting this information. He said did we do this Laura? Didn't we have enough sign ups, because we had some of our own people going around to get sign ups so there wasn't a problem there. He said I don't understand how they got left off. Commissioner Corbett said Mr. Chairman George is right, we met here in that (conference) room with Tim and his boss or your boss and these roads and other roads were agreed upon, and that was before your time. Chairman Maness said all of them were supposed to be included, I don't know why they were left off, we had to have so many per mile, as a matter of fact the Commissioners voted on them in that room saying these roads should be on there and Parker and Pemberton were on there. He said George brought it to my attention months ago that it wasn't. We bought it to Lance's attention. Mr. Bucey said I guess what I am trying to say is, I don't know how they didn't get in the EA or the PER. When I picked it up it was too late to do anything about it or I would have pushed it back 2 months. I am here to let you know that we do intend first chance available to get them on and in the project. Chairman Maness asked the Commissioners to look, get your old list out and make sure the ones that are supposed to be on there are, if not, call Lance and Laura in the morning, such as 731 out of Mt. Gilead. He asked Laura to go ahead and add it to the list.

Commissioner Corbett said Brad, it was a very long meeting and your boss sat there and said made notes on them himself and all of those he didn't think we could get money for, we left it off. Mr. Bucey said okay I will talk with him.

Chairman Maness said it may be looped in with another line, but what I am saying is, it is not on here marked in red on the map. Mr. Bucey said I will go through page through page to make sure. He said I know these ones, Lucas, Parker, and Pemberton we have designs on but purposely took them off the map because they were not in the EA and PER when it was approved. Chairman Maness asked why? Mr. Bucey said I can't answer that right now. I guess Tim just didn't go back and do that I guess it was an oversight.

Chairman Maness said it puts the Commissioners in a bad place when you promise someone water and they are in the project. He said I am not fussing, I guess I am, but it puts the Commissioners in a bad situation, you say okay you are going to get water and it is two years before they can get water after we started the process. We need to make sure moving forward

that we don't put the Commissioners in that situation so people don't think the Commissioners are lying to them.

Commissioner Knight said we will have another phase correct? Mr. Bucey said yes, I think your goal is to get countywide water. So we have already looked at and received petitions for roads that are not on here. Mr. Bucey said yes sir. Mr. Knight said I understand it will be done in another phase. He asked if there are any reasons why are we not working on that now, so that by the time we finish laying these pipes we can just fall right in and continue doing what else we need to do. Mr. Bucey said I would be glad to start working on that.

Mr. Metzler asked if there were roads already in the second phase. Mr. Bucey said yes. Mr. Metzler said we will certainly look into it.

Commissioner Knight said we have people complaining, we have people with bad water for one thing. We have people hauling and buying water. Mr. Bucey asked if it was because of bad wells. Mr. Knight said yes and some are borrowing from their neighbors. He said it seems we are dragging our feet. I see other project getting done and it seems we are dragging our feet, is it because of the people doing it, we haven't said we wouldn't pay.

Mr. Metzler said Commissioner Knight if you would, call me in the morning and bring me up to date because this was before my time and maybe we can have a conference call with Brad to talk about this. Mr. Knight said first we need to find out about the petitions and all of that. Mr. Metzler agreed. Mr. Knight said we have already done all of this. Chairman Maness said I guess we have been doing this for four years because when we came in it Dry Creek was on the agenda. He said that is when we said we would get started with it.

Chairman Maness said you have walked into a tough one here Brad.

Commissioner Knight said do what you can for us because we have people out there that don't understand why we can't get anything else done. He said if you are too busy to help us, then maybe we need to get someone else to help us. Tell us what the problem is. Mr. Bucey said I would be more than glad to take a look at this for you.

Chairman Maness said okay and asked the Board to call Lance in the morning with questions and make sure we have this going. This is important and we need to move on. Mr. Metzler asked the Board to call him by Friday. Mr. Bucey said if I need to come up and talk with staff about this, I will be glad too.

Commissioner Corbett said another one that Ralph and I have noticed isn't in the project is Windblow Road. We have worked and talked about it for two years I know. There are 98 homes I believe.

Chairman Maness said make sure you get that one.

Mr. Bucey said he will go back and talk with Fred Hobbs about the meeting. Chairman Maness thanked Brad for being at the meeting.

### **Approval of Purchase of Fire Apparatus for Candor VFD**

Captain Ed Stuart of the Candor Volunteer Fire Department was present. He said he would like to move forward with the bid on the fire truck. Mr. Stuart said we started off with a budget of \$250,000 and when we received the bid it was for \$269,000.

Mr. Stuart said we are about \$20,000 short and I am requesting you folks help us out by paying half or whatever you can to help us. It is going to cost us as a department \$50,000 to equip that truck. It is a County truck, but we have to use our Department money to equip it. The \$250,000 bid was a piggy back bid with Forsyth County, and it is kind of like this, we missed the day of the sale so to speak and missed out on that price. He said I have the successful bidder here if you have questions.

Commissioner Knight said on page one of this agreement I have a question about the guarantee. The big paragraph before terms said KME will not be liable. Did you look at? Mr. Stuart said yes, we looked at it and agree. Mr. Slagle who was present came up and read this section. Mr. Slagle said usually any proposal has this, we have used it before. We bid all of the specifications the fire department put out.

Mr. Knight said I was just wondering of the firemen here are aware of it. Mr. Stuart said we are very aware and have gone over it as a department, committee several times. We met with Slagle several times. This is not our first truck purchase. Everything is satisfactory with the department.

Chairman Maness said let's say the truck came into Candor and it tears up, are you going to take care of it. Mr. Stuart said let me interrupt you by saying we go to Pennsylvania to make sure specs are correct and drive it to South Boston, Va. For inspection and make sure the truck is okay. Mr. Slagle said the truck will be right before it reaches Candor. He said my dad founded the Company in 1962 and developed a point of check list.

Chairman Maness asked if it had a good warranty. Mr. Slagle said yes sir. Chairman Maness said if you go on strike the warranties are still good? Mr. Slagle said yes sir.

Commissioner Corbett asked when will the truck arrive in North Carolina? Mr. Slagle said next fiscal year we were in a Fire Commission meeting and he asked me about the date, Mr. Ed suggested that since Mt. Gilead is up for one next year, that the County might want to consider a tag on because the first of the year there will be a price increase. If that is the case you wouldn't have to pay this year, but it would be in the next fiscal year. Chairman Maness said if that is the case if we pay up front will you knock off some of the cost and if we buy two will you knock off some of the cost. Mr. Slagle said sure. Mr. Stuart said you would save on tax right there. Mr. Slagle said they do give discounts if you buy two. Chairman Maness said we didn't budget but \$250,000 for the truck, I sure do wish you would work with us. Mr. Slagle said me too. Mr. Slagle said this is the way it works, you have your bid price for the first truck here, I can ask them what the discount on the second truck is if you buy two? There may be some savings.

Mr. Stuart said we deleted some things off the truck we need. He said the interstate is going to open shortly and we are going to need the proper equipment.

Commissioner Corbett said again, when will the truck arrive? Mr. Slagle if you issue a purchase order in December, sometime in September over in your next fiscal year.

Commissioner Bostic asked what model. Mr. Slagle said this truck will be a 2007. He said the model will look the same.

Commissioner Knight said why don't we get what you need. How did we get \$250,000? Mr. Stuart said thank you. When you come to us and say this is the kind of truck we need to do our job, why didn't we give you what you need. Mr. Stuart said this was a piggy back with Forsyth County and the time limit expired on that bid. Commissioner Bostic asked how that happened. Mr. Slagle said actually I think it was Wake County. Mr. Stuart said anyway, there was time limit to get on that sale and we missed it, I'm not pointing the finger at anybody, we just missed the sale. He said we had to go back and get with him to go to Plan B to get this bid.

Mr. Slagle said they have new deadlines and EPA Standards from the Federal Government for diesel motors.

Mr. Stuart said we had to cut down on the engine size because of the money. We have to raise funds to get what we need. He said I could see if it was a City truck them equipping the truck, but this is a County truck.

Commissioner Bostic said gentleman I don't want you to take me wrong by what I am going to say, when we start spending taxpayers' money, now I can buy a Cadillac with all the bells and whistles like chrome wheels all of this other stuff that Cadillac is going to get me the same place as the other ride. Mr. Stuart said we aren't giving luxury rides, we are putting out fires. Mr. Bostic said I am just saying are we looking at a functional truck, we want you to have what you need. Mr. Stuart said it is not functional until we equip it, sir. Mr. Bostic said I know, but we don't need the chrome stacks, etc. Mr. Stuart said we will not have that, we even did away with the two tone paint to save money. Mr. Slagle said they took off the flood lights, shelving, equipment etc. to try to save money. There is a whole list of equipment/items that went away, there are no bells and whistles. It all went away. Mr. Bostic said I have no problem with it. Mr. Stuart said we met time and time again on this.

Chairman Maness said the Commissioners aren't. . .they are just asking questions. Mr. Stuart said I know, I know. Chairman Maness said those trucks we bought six years ago they were \$200,000. Mr. Slagle said that is right. Mr. Stuart said look at the cost of steel and metal how it has gone up. Mr. Slagle said a fuel prices. Mr. Stuart said what hasn't gone up. Chairman Maness said but they got the bells and whistles. Mr. Slagle said I don't know about that. Mr. Stuart said you probably could afford it back then too. Mr. Stuart said we are providing this service for free at least give us the equipment to do the job that is necessary. Chairman Maness said I totally agree. Chairman Maness said we just want the best deal.

Commissioner Knight said I know you are doing this for free and people do appreciate it. Mr. Stuart said some people. Mr. Knight said that is why I say why don't we get what you need to get out their on 220 at do business. I know you are an experienced person that knows what you need on the truck. Mr. Stuart said we fireman know what we need because we ride on that red truck you guys don't. It is a lot more than needing water. He said let us do our jobs. He said I am speaking for Mt. Gilead on the piggy back ride and if you would let them speak on

their behalf after we are finished. Mr. Knight said I think that is a great idea. Mr. Stuart said you will save yourself because it will be the budget year before you have to pay for it anyway. Chairman Maness said and I think, and we will vote on it, to if we could get the trucks rolling and save some money. He said don't hold anybody up, go ahead and let Candor move on and if you would come back with the rock bottom price to make sure the trucks are equipped the way they are supposed to be, see if you can save us about \$40,000.

Mr. Slagle said let me make sure I understand, we need to equip the trucks like they are supposed to be like Ed wanted and come back with the savings on the second truck. Chairman Maness you can help us save it on either truck any way we can save it. Mr. Stuart said I am satisfied with what we have. Mr. Slagle said there were a few items that were different that Mt. Gilead thought they needed that Candor didn't. The other thing I wanted to say no one knows better than the firefighters in the districts. Chairman Maness said we understand that. Mr. Stuart said you can help us out, Billy, with this tax deal, more so than the tax district, you would be helping us out. You can get out of the truck buying business; we could have a budget like Tillery or Badin. Montgomery County is behind and we need to catch up. Chairman Maness said Lance, also make sure if we pay up front if we can save some dollars. Mr. Metzler said Chairman Maness, Mr. Stuart you are referring to the \$270,000 will meet your needs. Mr. Stuart said yes, that will put everything back on it that should be on it. Mr. Metzler said it was \$293,000 and you cut it down by \$23,000 and you did a great job. Mr. Slagle said they cut all the fat out. He also said Mt. Gilead has different options; I don't know what kind of bottom line they are talking about. Mr. Stuart said I wish you would hear them out before we leave here. Mr. Stuart said I appreciate what you do. Chairman Maness said Mr. Slagle get us a good deal now.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the Candor fire truck in the amount of \$269,656.

Commissioner Bostic asked if the Board needed to wait to see where Mt. Gilead's bottom line is. Chairman Maness said this bottom line is what it is and we can save the money on the Mt. Gilead truck.

### **Mt. Gilead Fire Department**

Mr. Tommy Gaddy, Fire Chief and Mr. Keith Byrd, Assistant Chief and Mr. Jay Strider, Lieutenant of the Mt. Gilead Fire Department came before the Board. Mr. Gaddy said most of them had been part of the department for 10-25 years. He said I have spent 27 on the department. He said I sat down with Mr. Slagle and pretty much they said I can agree with and back it up. Mr. Bostic you were talking about a Cadillac with all the bells and whistles, right there it is, I have done that and that truck came up to \$400,000 and we are not coming up here asking for a \$400,000 truck, we are not going to do that. What we are asking for is what you just approved for Candor. They cut out everything they could, they took off generators that cost \$10,000, they are going to try to pay for the generators with a State grant. They are going to put stuff back on this truck. We have put in a bid and we came in a little more than Candor did, but each department has its own individual needs. Our bid came in at about \$280,000 on our truck here. We put a few things on that we can take off and we may have a bell or whistle or two that we can go back and take off. It was just about as bottom line as you get on this truck. It is basically the same truck. What we are proposing is letting us piggy back on their truck and get a truck like that because that is what we are looking at anyway. Chairman Maness said I think

that is what the Commissioners agreed to do to piggyback and wait for Mr. Slagle to get back with our County Manager. Chairman Maness said the \$270,000 sounds real good. Mr. Gaddy said the \$270,000 sounds good to us to. If we want to put the red and white paint we will kick in the \$1,100 difference to do that. That is just looks, good it doesn't get us there any quicker.

Mr. Gaddy said what you have done is what we were going to ask you to do and that is the \$270,000. We appreciate that if the Commissioners would look at it and we will get back with Mr. Slagle and the prices of what we need. It will not take long to get this finalized, one more meeting with Mr. Slagle should do it and we can have our truck sitting there and we can be ready.

Commissioner Bostic asked if there were any other dealers other than Slagle's. Mr. Gaddy said yes, but Slagle has probably put  $\frac{3}{4}$  or better in there because he has come in with the lowest bid every time. There have been others that have bid. Mr. Metzler said we bid the original for Candor and we only received only two including Slagle, same RFP. Mr. Gaddy said he has done a good deal in the past. We have bought from him in the past and have no complaints. The warranties have been good.

Mr. Gaddy said you have done what we have come to ask and we appreciate it and we will not take up any more of your time.

Chairman Maness said we appreciate what you and Candor do.

Mr. Maness said Lance, make sure that works.

### **County Manager's Report**

*County Manager Lance L. Metzler gave the following report:*

#### **Springdale Heights Update**

- We submitted the CDBG Infrastructure grant to the state on October 30<sup>th</sup>.
- They will be calling to schedule a meeting to discuss the grant request at the end of November.
- The information retrieved from the community was good and we have had a great response.
- They will make grant awards in the New Year but I will keep you informed as to what is transpiring with the grant.
- He said he has been in contact with Troy about homes and getting them connected to sewer.

#### **Beyer's Island Buoys**

- The buoys have been installed at Beyer's Island.
- I contacted both Progress Energy and ALCOA about paying for the buoys when we get them and they both offered to do so.
- ALCOA did pay for the ones that were placed at Beyer's Island and we certainly do appreciate that (\$448.30).

#### **Star Christmas Parade**

- The Star Christmas Parade is scheduled for Saturday, December 9<sup>th</sup> at 2:00 p.m.

- If you are interested in being in the parade, then please contact Laura and she will fill out the appropriate paperwork.
- The line up will start at 1:00 p.m.

### **North Carolina Clerk's Conference**

- Montgomery County hosted the annual North Carolina Clerk's Association Conference.
- It was a great success. Had a lot of clerk's conveyed it was one of the best they had ever seen.
- Laura and staff did a great job to make this one of the best that the Association has ever had. She did a fantastic job to get attention on Montgomery County.
- Thanked all of those who contributed to the success of the conference.

### **Spayed and Neutered Program**

- The Commissioners budgeted \$3,000 for the Spayed and Neutered Program and we have provided certification to utilize all of those funds.
- We have provided certification for 61 pets and most of those applicants were low to moderate income families.
- This is a very successful program and has been proven an effective tool to combat pet overpopulation and rabies.

### **Rescue Squad Grant**

- The Montgomery County Rescue Squad was awarded a \$25,000 grant from the State.
- The money will be leverage with current funds that they receive to purchase needed equipment to help them during rescue conditions.
- I want thank the Commissioners that attended for being there because it meant a lot to the Rescue Squad.

Chairman Maness said with that, I would like to mention that long-time Rescue Squad member Bob Gaddy passed away this week.

### **Organizational Meeting**

- In accordance with the General Statutes, the County has to have an organizational meeting on the first Monday of December which is December 4<sup>th</sup>.
- The Commissioners will elect a Chairman and Vice Chairman from a slate and set the meeting schedule dates.

Chairman Maness asked if that is a Monday. Mr. Metzler said yes. Commissioner Morris asked if the meeting would be at 6 p.m. Mr. Metzler said yes.

### **December Meeting**

- Allow the staff to have December 22<sup>nd</sup> off for Christmas.

In a motion made by Commissioner Maness, seconded by Commissioner Corbett and so the motion carried unanimously to allow county employees to have an additional day at Christmas (December 22, 2006).

## **Immigration Growth**

- Commissioner Knight and I had a talk about the growth in our immigration population and we felt that it would be a good idea to have a facilitated work session to let the Commissioners understand the changes and maybe refocus some of our service operations.
- I have been in contact with Randy Billings with the COG and he is working on finding a facilitator for that meeting.

Chairman Maness said I noticed a lot of County are putting policies in place for illegal aliens. Are we doing anything? Mr. Metzler said no, we haven't been aggressive. Mr. Metzler asked Social Services Director if they had any policies in place. Mr. Sanders explained.

Commissioner Corbett said Mr. Chairman; it might not be a bad idea to look at some of these resolutions at that time.

Commissioner Knight said Mr. Chair, when we start looking at this, is it possible that we could get a representative from that group involved. It is good to get people involved because they may think about something we haven't thought about because of their culture. Then too I know Social Services and the Health Department are already dealing with the population growth, but I think our County needs to make plans to deal with this growth. Someone said in the future the Hispanics will be the majority.

Mr. Knight said while we are talking about that, we need to talk about the growth of our seniors. We have got to plan; we don't have recreation or anything else for our seniors. A lot of questions they were asking about in a questionnaire I was reading about what we are doing for our seniors, we are not doing, I had to check no. It seems we are not even making plans. We might as well get ready.

Mr. Metzler said the next idea addresses that issue.

## **Community Meetings**

- As you all remember, we had a meeting with Mr. Percival with the COG about opportunities for the senior citizens to network at various locations in the County.
- All of you were interested in providing activities for senior citizens.
- In your packet is the outcome of that meeting.
- Mr. Percival will be conducting meetings at various locations to find out what our senior citizens are looking for.
- Make sure you all provide this information to the senior citizens in your community.

## **Safety Policy Proposal**

- I have created a safety policy for your consideration.
- This stems from recent discussions with our insurance agent and incidents.
- By creating and implementing a safety policy, we can reduce our insurance premium and create a safer environment for our employees and citizens.
- If the Commissioners approve, then the safety officer (Phil Henley) will be established and the Committee set up to meet.
- It will also help reduce our insurance.

In a motion made by Commissioner Morris, seconded by Commissioner Knight and so the motion carried unanimously to approve the Safety Policy.

Commissioner Knight said as I was reading over this and the next item the Hazardous Materials Emergency Ordinance, I was wondering who is going to be looking after all of this stuff. Our manager is only one person and from what I see he is stretched. I was just thinking we were supposed to finish the personnel policy, and finish this and that. Somewhere along the line we are letting some things left undone because we keep adding stuff to our County Manager and he already has a desk full of things to take care of that are taking priority over things that I think are important like the Pay Plan and Personnel Policy. Somewhere along the line we might need to consider hiring an assistant manager. We don't even have an emergency manager coordinator now. A lot of things this County doesn't have and we are going to lack because he doesn't have time to address. He said our Manager talks about a policy will address this and that, just like the fire, we should have already had something in place. Our Manager wants to take care of this so somehow we are going to have to find a way of getting some help to take care of some of these things.

#### **Hazardous Materials Emergencies Ordinance Proposal**

- As you are all aware, we have experienced several situations in which we have emergencies dealing with hazardous waste.
- I have contacted other surrounding localities and what they have created was an ordinance that required any person who discharges any hazardous waste financially responsible for the remediation of the spill.
- We had one recent spill that cost our Rescue Squad, Emergency Management Department and DOT.
- I would recommend that the Commissioners allow the advertisement for Public Hearing on the proposed ordinance to receive public comment.

In a motion made by Commissioner Knight, seconded by Commissioner Bostic and so the motion carried unanimously to advertise for the Hazardous Materials Emergency Ordinance for a Public Hearing.

#### **Star Airport Engineering RFQ Proposal**

- The Airport Committee had a meeting about engineering services and felt that it was in the County's best interest to advertise a Request for Qualifications to make the engineering services more competitive and maybe get better rates.

In a motion made by Commissioner Maness, seconded by Commissioner Knight, and so the motion carried unanimously to advertise the RFQ for an Airport Engineer.

#### **Solid Waste and Animal Control Ordinance**

- The COG is still assisting us with the Solid Waste Ordinance and the Animal Control Ordinance.
- I have asked that the Town Manager's and Town Clerks review the County-wide Animal Control Ordinance. Once I receive input from them, then I will bring it to the Commissioners for your consideration and then give to the Towns to consider.
- The Solid Waste Ordinance has gone through several revisions and will be to the Commissioners soon.

## **Moratorium**

- The Moratorium Committee meets on Thursday and will have something to the Commissioners at the December meeting. He said this should be our final meeting.

## **Upcoming Meetings**

- National Incident Management System (NIMS) training on Thursday at 2:00 p.m. at MCC Room 105.
- November 21<sup>st</sup>-Work session on Facilities Planning.

Commissioner Knight said I know I was the one that had the problem with cancelling the meeting in November. I know I can always make an excuse not to be here. When we plan our meeting in December and when we do, I hope we can. . .I don't know what we can do to say we will meet as scheduled. I normally make plans around the Commissioner's meeting. Because I was elected as a County Commissioner I should be able to make the meetings. Another reason is because if we have regular scheduled meeting our people will be confused. If you don't want to meet resign or something . . .we should try our best to stick to our schedule. My wife is out there and she will tell you we schedule our vacations around the meetings. We can't get anything done if we don't meet and for the life of me I can't understand why we don't want to get anything done.

Chairman Maness said I want to go on record as saying I haven't missed a meeting in six years and I let everyone know months ago that I had a prior commitment.

Commissioner Knight said Mr. Chair can I say one other thing, I noticed since I have been Commissioner (4 years) I haven't asked the Commissioners to reschedule a meeting. We have rescheduled meeting to make sure no one would miss it. I have missed only one meeting. We need to meet to get the job done for the people in this County.

In a motion made by Commissioner Morris, seconded by Commissioner Corbett, and so the motion carried 4-1 to cancel the November 21, 2006 meeting.

The next regular session will be December 12, 2006.

- December 4<sup>th</sup>- Organizational Meeting here at 6:00 p.m.

Chairman Maness said tonight is ending up a time for one of our Commissioners who has served for 16 years. He said even though we have been on different sides on the aisle it has been nice working with him and I appreciate it.

Commissioner Corbett said I would like to echo that. He has also been a gentleman and again we haven't always vote together but I don't think we ever got mad at each other.

Commissioner Morris said I have been with him all the way from Clerk to the Board when he came on and now serving with him as a Commissioner. I have enjoyed my tenure and service with R.C.

Commissioner Bostic said Mr. Chairman I would like to say it has been a pleasure serving on this Board. I have served with some very good Commissioners. I would like to think this County is a little better off for my tenure on here. I will continue to do what I can for the County. To the fireman, it is not that I am against giving you all anything; I think you all know that when we bought five fire trucks at one time, Brady Dickson and my self worked hard to get that done so. I have always supported the Fire Departments. If you look back at my record you will see that there are no votes that have been for my self for a selfish vote. I knew at one time, I served as Chairman, and the next year, a friend of mine of the opposite party, was going off the Board, I relinquished rights to be Chairman because I didn't want my friend not to be Chairman because of his party, not race. He made a good chairman and did a good job. If there is anything else I can do for you, please let me know. As I go, I wish you all Merry Christmas, Happy Kwanza, and Happy Hanukkah, and Feliz Navidad

**Adjournment**

There being no further business, Chairman Maness adjourned the meeting.

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William D. Maness, Chairman

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Laura B. Morton, Clerk to the Board

**Special Session  
November 16, 2006**

The Montgomery County Board of Commissioners met at Montgomery Community College on November 16, 2006 at 2 p.m. The purpose of this meeting was to receive NIMS (National Incident Management System) training that is required from State Emergency Management in order to continue to receive grant funding. Commissioners present were Commissioner Billy Maness, Commissioner Dolon Corbett, Commissioner George Knight, Commissioner Sally Morris, and new Commissioner Jackie Morris. This name of this course is NIMS Training for Executives (I-402). The instructor's name was Jonathon Sowers.

There being no further business, Chairman Maness adjourned the meeting.

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William D. Maness, Chairman

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Laura B. Morton, Clerk to the Board