

**Montgomery County Commissioner's Meeting
August 15, 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, August 15, 2006 at 6:00 p.m. in the Commissioner's Assembly Room. A full Board was present. *Chairman Maness reconvened the meeting and the following was heard:*

Invocation

Commissioner Bostic gave the invocation in the absence of Rev. Thomas Andrufski.

Public Forum

Chairman Maness announced that next is our public forum. This is not a public hearing on the moratorium or the road name change; it's for anyone else that would like to speak. Do we have anyone here tonight where the county allows them 3 minutes to speak on county business; is there anybody here that would like to speak? We have Vonnie Baucom down to speak would you like to come down? Vonnie Baucom declined.

Chairman Maness said Mr. James Williams. Mr. Williams said Yes Sir. Chairman Maness said Mr. Williams if you would come up here and state your name into the microphone. Mr. Williamson said I'm Jim Williamson from Cedar Creek Road Biscoe and I'm here to get some answers to help my neighbors trying to get some water. There is desperate need in that area. This is our second time over here to be protesting. The first time we was over here our wells were low we experience surface water due to the rain and this is the second year in a row my well went completely dry. I wasn't even able to pump water for my commode, I'm thinking about making me a Johnny house if I don't get me some water or something. So I'm wondering when can we get some water. We don't know how long our neighbors well is going to hold out they going to be in the same situation I am in. We are borrowing water from each other and getting water the best way we can. I think that in all fairness we should be getting better communication and consideration to the people that have been good to our cause. But in my feelings, in some instance, I never yet found out who I was talking to like I called one lady over here and I got a phone number in Raleigh that said I would have to talk to him. I don't know that gentleman in Raleigh and I don't know what that gentleman would have to do with us getting county water. One thing I would like to say from my house to McCaskill Road is a half mile approximately. Down to Sedberry Road which Mr. King and his wife is right there its about a mile at the most from where they talking about hooking this county water from the school there's no way it would be much interference in the cost second of all why couldn't we go on credit and some of these people that's needing water not necessarily Sedberry Road. Why couldn't we get a loan and fill all the houses in need of water from the county and then let us pay as we go along? County Manager, Lance Metzler said Chairman Maness it has been three minutes. Mr. Maness said Mr. Williams our Public Forum is three minutes and we appreciate it what I would like for you to do is we've got Tim Carpenter here, and we may need to change the agenda

around, but he is going to be speaking on exactly where we stand today with our water. Mr. Williams said well I would like to know where I stand 'cause I'm going to dig me a well, I would have already done it but I hate to deprive my neighbor of getting his water in by the county. Mr. Williams said thank you. County Manager, Lance Metzler said Mr. Chairman what Mr. Williamson needs to know is if the county is not going to put in water then he is going to put in his own system. Mr. Metzler says Tim Carpenter can certainly answer those questions as I recall I don't think he is on Phase II or Phase III and to run half a mile for one individual might be cost prohibited right now, but certainly Mr. Carpenter can address that. Commissioner Knight said I talked with Mr. Williamson and I think there have been some things that need to be cleared up in his mind. First of all if he turned in a petition way back when then I don't see why he couldn't be in Phase I or Phase II. Why should he be in Phase III if he turned in a petition way back when? He doesn't live that far from McCallum Road and McCallum road has houses out there a mile apart and they got water and he's living half a mile from McCallum road. It's not cost effective but we are serving our people. Chairman Maness said it's McCaskill Road. Mr. Knight said I mean McCaskill road I mean you ride up that road and see a house here and there but they got water he's a half a mile from there and he wants water I think we shouldn't even talk about cost. Chairman Maness said we'll have Tim up here in a minute when we get through the Public Forum.

Next on our Public Forum is Maynard Stickney. If you would please come forward and speak your name into the microphone, please. My name is Maynard Stickney and I live in Albemarle, my remarks have to do with what I consider the detrimental impacts of large developments like the VK Development on the north Fairway Shores Development, the existing property owners on the lake and the citizens of Montgomery County and all of the other people that use the lake. Let me ask a question first. Are these remarks germane to this meeting or would they be better presented later. Chairman Maness said we are going to go into a public hearing on the moratorium and it would be better to speak during that. Mr. Stickney said thank you sir.

Chairman Maness said next I have Jack Carroll are you waiting on the public hearing. Mr. Carroll said yes sir. Chairman Maness said I have Tom Weaver, Jim Matheney. They both said they would wait until the public hearing.

Chairman Maness asked if anyone else would like to speak.

Public Hearing on Proposed Road Name Change – Andrews Road to Lighthouse Church of God

He said if not, I am going to closed the regular session and call to order the public hearing on the Proposed Road Name Change – Andrews Road to Lighthouse Church Road. Chairman Maness asked Lance Metzler if he had any information on this request. Mr. Metzler said we have received a petition to change the name of state road in Jackson Springs from Andrews Road to Lighthouse Church Road. 20 of the 27 property owners signed the petition. We advertised and posted notice of the public hearing. Of course, the next step is for the Commissioners to hold the public hearing and take action on this road name change request one way or the other.

Chairman Maness asked if anyone would like to speak on the proposed name change from Andrews Road to Lighthouse Church Road. He said if not I will close the pubic hearing and call our meeting back to order. Commissioner Knight said Mr. Chair, before we close the public hearing on that, we are going to need something to base our decision on when we approve or disapprove this and there is nobody here to speak for or against, I mean, what do we have to go on, other than somebody's request and 27 names. Chairman Maness said

I guess, that is all we have, Lance, do you have anything else on it. Mr. Metzler said no, these are the procedures that the state provides for the Commissioners to consider. He said I apologize that nobody is here, but I certainly couldn't get them out here today. Commissioner Knight said because I don't know why should they want to change a State Road from Andrews Road, at one time they named it Andrews because of a purpose and now they are going to name it Lighthouse Church of God Road. What is the reason for the change? You involve a lot of people when you change a road. You have to change signs and addresses. He asked the reason why the name change, why do you want to change the name. Mr. Metzler said I can't answer that; I can certainly have them here at the next meeting to address that. Mr. Knight said he would just like to know because you are going to have people running in here just because they have somebody to sign a petition and want a road name change. It involves more than a want. It was named that for a purpose. I would like to know the reason why it was named Andrews and why we want to change it. Mr. Metzler said sure.

Chairman Maness asked if anyone would like to speak in the public hearing.

Commissioner Bostic said on that subject Mr. Chairman, I think our rules were that if over 50% of the people who live on that road wanted a road name change, and certainly 27 is 50% of that. He said some of the roads had names before we started the addressing system and this is one of them. The church is on that road and most of the people came, when they first presented this name change and presented their position. This is just a formality that we go through to do that. I would like to make a move to honor their request to change the road name from Andrews Road to Lighthouse Church Road. Chairman Maness said we are still in a public hearing. Commissioner Bostic said I thought you had closed the public hearing, Chairman Maness said we stayed in it for George.

Commissioner Knight said I don't know why Ralph has to go against everything I say, but I do desire to have that information and I think as a member of this Board I deserve to have this information so I can make an intelligent decision on this request. I think I am owed that as a member.

Chairman Maness asked if there were any other comments during this public hearing. There were none, so Chairman Maness closed the public hearing and reconvened the regular session. He asked Commissioner Bostic if he still wanted to make the motion.

Commissioner Bostic said I move that we honor the request of the citizens of Andrews Road to change the road name to Lighthouse Church Road. Chairman Maness repeated the motion and called for the second. Commissioner Knight said you may have some more discussion on that too. Commissioner Morris seconded the motion.

Chairman Maness called for further discussion.

Commissioner Knight asked why you said it changed to Andrews Road. Commissioner Bostic said I didn't say Mr. Knight? Commissioner Knight said you see, this is what I want to know, why it was named . . . if they have a road named Etta Drive, when you leave Brutonville, would you want that name changed. Mr. Bostic said if the majority of the people that lives on the road wanted to change it, I wouldn't have a problem with it. It was previously named before it was named Etta Drive. Commissioner Knight said it was named Etta Drive for a purpose. Mr. Bostic said the community wanted to change it and we had over 50%. Mr. Knight said how many people live on this road. Mr. Bostic said I don't know George. Mr. Knight said how are you going to say that is 50% or more? Mr. Bostic said I am

sure it is over 50%. Mr. Knight said no you can't be sure unless you tell me how many people are on that road and how many people signed the petition. Now, if you can tell me that, then you can tell me that over 50% of the people signed the petition. You can't prove that, and you are going to put a motion on the floor, based on something we said, I haven't read it, but it is something we said. Like you say, somebody said it, but Mr. Chair I don't think we should allow that motion on the floor because how do we know that is over 50% of the people that live on that road.

Mr. Metzler said as I mentioned earlier 20 of 27 property owners signed the petition. Commissioner Morris said and that is more than 50%. Mr. Metzler said yes. Mr. Knight asked if there are 27 property owners on that road. Mr. Metzler said according to our GIS/911 employee, yes sir. Commissioner Knight said I would like to see these figures. Chairman Maness repeated the motion and second, and asked if there were any further discussion.

Commissioner Knight asked the Chairman how a motion can be made and seconded, I couldn't even get a second at the other meeting, but I am not in the click. I believe I should be able to see the petition with the names on it and also should be able to see and know where our manager got this information. I would like to see that information too. I don't think we should make a decision on it until we have the information. If you are doing it, it is because Ralph wants it done. Mr. Knight said we are not doing it intelligently. I think we as Commissioners should take our job seriously and do what we do intelligently, not because we like what someone says.

Chairman Maness said I understand how you feel about it Commissioner Knight, but we are doing it the Democratic way. Mr. Knight said that is not the Democratic way. Mr. Maness said the majority wins. Mr. Knight said we are supposed to be serving the people of this County. Chairman Maness said I feel that were are. Chairman Maness called for the vote.

The motion carried 4-1. (Commissioner Knight voting against the road name change)

Chairman Maness repeated the decision.

Public Hearing on the Proposed Ordinance Imposing a Moratorium on the Approval of Subdivisions and PUDS in Montgomery County.

Chairman Maness recessed the regular meeting and called to order the public hearing on the proposed Ordinance Imposing a Moratorium on the Approval of the Subdivisions and PUDS in Montgomery County.

Chairman Maness turned the meeting over to County Manager Lance Metzler.

Mr. Metzler said the County Commissioners and Planning Board had come to the conclusion a need to implement a 120 day moratorium on any approval of subdivisions or planned unit developments (PUDs) until this committee, that is supposed to be formed according to the General Statutes returns with recommendations on building height, minimum setbacks, minimum lot size and buffers. The Committee will expect to make recommendations to the Planning Department and the County Commissioners no later than 120 days. We have some preliminary language that the Piedmont Triad Council of Government and I have created for the Moratorium Committee to consider. The advertisement does not discuss any particulars or specifics of what will be recommended only that zoning will be addressed. It will require another public hearing to make any changes to the zoning or accept the recommendations from the Moratorium Committee.

Chairman Maness asked if anyone would like to speak. He reminded the audience of the three minute time limit and that they could join their time. He also asked they speak their name in the microphone.

Mrs. Vonnie Baucom of Fairway Shores came forward. She said she would be very brief and yield the rest of her time to Jack Carroll. She said as it has been brought to our attention by the proposed and approved VK Development. We were dreadfully unprepared for the impact that the expansion of NC Hwy 24/27 coming out of Charlotte, the way it is hit the community. The response of people here tonight and people that have been involved in it already has highlighted that we have some grand deficiencies in our infrastructure to support that kind of growth and expansion at this kind of rate. She said I believe this proposed moratorium heads us in the right direction. It will allow us to greet growth and expansion in an organized manner, and will allow our residents, current and future to maintain the quality of life that we moved here to get, and still protect our natural resources that we all enjoy and rely on. She said I think the question is do we want planned development or do we want open it up to potential destruction to natural resources and general chaos in our community and I think we all know the answer to that. Thank you. Chairman Maness said thank you.

Mr. Maynard Stickney from Albemarle appeared before the Board. He said at the November 15, 2005 meeting of the Commission, I raised the issue of the capacity of Lake Tillery to cope with the overall impacts of large scale developments such as VK Development, Corp. Such impacts include but are not limited to lake congestion due to large increases in numbers of watercraft, the associated detrimental effects and enjoyment and safe use of the lake, increased erosion of shorelines, additional damage to seawalls, boathouses, and other structures, higher and more significant noise levels, and significant adverse effect on the overall lake environment. Lake Tillery is the most valuable physical asset that Montgomery County possesses. Orderly development is much to be desired. It is a relatively small lake and is already well populated. Permitting 1,155 housing units at Livingston Point and 180 units at Fairway Shores is anything but orderly development. Montgomery County stands to gain, presently undefined, net revenues from these two projects. Developers and purchasers of the property stand to gain a "piece of the lake" in the large portion of the remaining lake capacity. Such capacity is irreplaceable, almost priceless, and a great potential benefit to Montgomery County far beyond the net revenues steaming from the proposed developments. Developments such as this will prove to be detrimental to the interest of existing lake property owners and all other individuals who use the lake for fishing and other recreational purposes. This would limit individual and non-corporate purchases and development of lake area properties. In essence, permitting such large scales corporate developments, represents a giving away of what can be considered a birth right of Montgomery County and other local area citizens to other outside corporate entities who will pocket the profits and leave behind a much less desirable lake and other problems. The bottom line is such corporate developments represent a very shotty deal for Montgomery County and its citizens. Thank you. Chairman Maness said thank you.

Dr. Mike Allen, president of the Emerald Shores Homeowner's Association, appeared before the Board. Dr. Allen said is if speaking in support of the moratorium and fully support the planned developments. He said without planned development we will have a mixture of Myrtle Beach and Lake Norman. Dr. Allen said we deserve more that that. He said he would like to yield the rest of this time to Jack Carroll.

Chairman Maness said Jack I don't know how many minutes you have, but . . . Mr. Metzler said he has a total of six minutes. Mr. Jack Carroll a resident of Fairway Shores appeared before the Board. He said as a resident of Montgomery County and Chairman of the Lake Advisory Committee, I enthusiastically and whole-heartedly support your decision to impose the moratorium. He said I firmly believe that you have made a wise and prudent decision. Your action will permit the necessary time to make some fundamental improvements and changes in the near future to our existing ordinance. Mr. Carroll said collectively it will considerably furthering the goal of the Land Use Plan, which you have in fact invested a considerable amount of money. In the long term, we are all looking to ensure that we have a strategy, a framework, and a plan that will comply with the vision you have of how we want to look in 2010. I believe the Land Use Plan will go ahead and permit us to move in that orderly process and it will satisfy all of the buried interested of every citizen in Montgomery County. I have not vested interest. I am not a developer, I'm not a contractor, I don't own a whole lot of land, but I am here essentially to offer my time and my services. I appreciate the support you gave me when I was Chairman of the Lake Area Advisory Committee. Mr. Carroll said I believe I would bring experience to the table. I'd like to be able to contribute to this process and would like to be able to convey the thoughts and varied interests of my fellow neighbors out on Fairway Shores and throughout the Lake Tillery region. He said I appreciate your support and hopefully I will be able to do that. Mr. Carroll said thank you. Chairman Maness said thank you, Jack.

Mr. Jim Matheney, President of the Uwharrie Point Homeowners Association was present before the Board. He said I am all in favor of the moratorium as well to take a chance to step back and do more planning for needs of the community. He said I would like to say all development is not bad. Mr. Matheney said for example Uwharrie Point on Badin Lake; it is one of the two developments that have a sewer system and is not polluting the lake with septic tanks. It provides 14% of all of the resident tax bases of all of Montgomery County, it consumes almost no infrastructure funding from Montgomery County, and we have our own tax district to provide our fire fighting needs. He said he would comment to the citizens of Montgomery Counties and other interests that some good can come out of development on the lake. My only pitch is that if you are going to extend this working group that is going to work on the planning and if you are going to include members of community and consider separate ordinance for Lake Tillery, Badin Lake, and the rest of the County, I would like for you to have a representative from our area be on that working area as well. Chairman Maness said thank you Jim.

Chairman Maness asked if anyone else had any comments. Mr. Maness said if not, I will close the public hearing and reconvene the regular session.

Chairman Maness asked if there was a motion to approve the 120 day moratorium. Commissioner Corbett made the motion to approve the 120 day moratorium. Commissioner Bostic seconded the motion. Chairman Maness repeated the motion and called for further discussion.

Commissioner Knight said Mr. Chairman, there is a typographical error on page one. It says 60, then it says 120 days there. He said that might need to be corrected on the moratorium that we are talking about. Chairman Maness said I don't see it. Mr. Metzler said at the top of the page. Chairman Maness said you can change it, but if this moratorium passes it will be for 120 days. Mr. Maness said Lance; you may want to check into this. Chairman Maness asked if there are any other discussions.

Chairman Maness called for the vote and the motion to approve the 120 day moratorium was approved unanimously.

Mr. Maness said Lance; we need to get started on this as quick as we can. Mr. Metzler said we are meeting next week. Chairman Maness said good deal.

Commissioner Knight said before we move on there were some concerns and requests to serve on the committee. He said are we going to deal with that now or wait until we get ready to approve the committee. Chairman Maness said I think we already have approved the committee haven't we Lance. Commissioner Knight said I don't think we have voted on it. Chairman Maness said Dolon is the Commissioner on it. Mr. Metzler said yes. Chairman Maness said I don't mind if we need to look at the committee and do any different, it is up for discussion. It is up to the Board. Commissioner Knight said we didn't vote on the committee we voted to have one commissioner, which is Commissioner Dolon as part of the committee with the names that the manager supplied to us, which was a total of about four people I believe, but we didn't approve the committee as Commissioners.

Chairman Maness asked who is on the committee, Lance . . . Mr. Metzler said the Chairman of the Planning Board, Commissioner Corbett, staff from Council of Government, Paul Kron and Ginger Booker who serve in an advisory capacity, and then Phil Henley. Commissioner Morris said we did vote on that didn't we. Chairman Maness said I don't think we voted on the full board as George said. We did put Dolon as the Commissioner Representative on there, but we didn't vote on the full board. Mr. Metzler said we could put this on under my report. Chairman Maness asked Commissioner Knight if he had someone he would like to put on there. Mr. Knight said I would like to see Mr. Jack on there. Chairman Maness said if we put a member of Lake Tillery, we need to put a member from Badin Lake on there. He asked Mr. Jim Matheney to come forward. Chairman Maness and Commissioner Corbett asked Mr. Matheney if he knows of anyone who would serve on the committee or if he would like to serve on the committee. Mr. Matheney said for lack of another name, he would volunteer. They said okay, thank you.

Chairman Maness asked Commissioner Knight if he would like to put that in the form of a motion. Commissioner Knight said yes sir, Mr. Chair; I would like to offer in the form of a motion, the named people that our manager named, plus the two people who volunteered here tonight. Chairman Maness said that would be Jack Carroll and Jim Matheney. Commissioner Corbett seconded the motion and the motion carried unanimously.

Consent Agenda

Chairman Maness asked if there are any items the Commissioners would like to pull out.

Commissioner Bostic requested to pull d) Approve for Animal Control Officers to Carry a Handgun. Chairman Maness asked will this be for discussion. Mr. Bostic said we can discuss it.

Commissioner Knight requested that c) Approval of Only One Meeting in November due to November 7 being Election Day be pulled mostly for discussion. I believe we have our Tax Supervisor here so if we discuss it she will be here.

Chairman Maness said we have a, b, and e to approve. Commissioner Corbett made a motion to approve a, b, and e. The motion was seconded by Commissioner Knight, and the motion was approved unanimously. The consent agenda items approved are as follows:

- a) Approval of Amendment to April 4, 2006 Minutes
- b) Approval of the Minutes – August 1 work session and regular session
- e) Approval to Give Surplus Vehicle to the Candor Police Department for parts

Change of November Dates (c)

Chairman Maness said we will work with those now. We will start with c. He turned it over to Mr. Knight. Commissioner Knight said before we make a decision to only have one meeting in November, with all of the things we need to have between now and December. I request we change the date on the meeting instead of just canceling it on Election Day. I would like to recommend we just change the date because of the things we need to get done and we can't get it done without meeting.

Chairman Maness said why don't we change the dates to November 14 and the last Tuesday. Mr. Metzler said the 28th. Mr. Maness said I don't have a problem with changing it. Mr. Bostic said I don't either. Commissioner Corbett said Thanksgiving. Mr. Maness said that is what I was thinking, it is close to Thanksgiving. Commissioner Knight said that is on a Thursday, this is a Tuesday. Mr. Maness said that is fine. He asked Commissioner Knight if he would like to put that in a form of a motion.

Commissioner Knight made a motion to change the meeting dates in November to the 14 and the 28. Commissioner Bostic seconded the motion. The motion was approved unanimously.

Approval of Animal Control Officers Carry a Handgun (d)

Commissioner Bostic said we have been asked that the Animal Control Officers be allowed to carry handguns. He said we have had a bad experience in years past with officers carrying handguns. I don't know what kind of training is necessary. This could be a volatile situation with people going out to collect someone's dog. If you don't have a gun, you may look for another way out to settle a situation. He said I might even go for having a tazer, but I don't think they need handguns.

Chairman Maness asked Mr. Metzler to speak on this. Mr. Metzler said it was brought to us several months ago where there have been situations in the past where our Animal Control officers have to use force with an animal coming at them. He said it is a whole lot easier dealing with a pistol or a tazer than a shot gun in these situations. It allows our officers to have more protection when they are out there. We looked at a few other Counties' ordinances. Mr. Metzler said they do have to be certified to use the handgun.

Commissioner Knight said I had that as one of my items to discuss. He said dogs are not getting any "badder". They are no worse now than they have always been and these people have made it all this time without guns. He said if they were dealing with humans. The human race seems to have gotten worse. I think dogs are still about the same. Do you see what I am saying? Chairman Maness said yes sir. Mr. Knight said I don't see no need for us to jump up and put guns on a couple of officers, even if they are certified to carry guns, they are going to be out in communities collecting dogs. You are going to have children and everything else in these communities and they just might use that gun because they are being attacked. I don't believe the same rule will apply. A regular police officer is not supposed to pull his gun and fire on a person except on escapes of a felony, or their life is threatened. Very seldom do you here of a grown person being killed by a dog, sometimes

children are killed by dogs. Very seldom do I here a grown person being killed by a dog, especially an animal control officer. I would rather not even consider this.

Commissioner Morris said being with the Humane Society I would like to study this further and look into other avenues of protecting themselves.

Chairman Maness asked for other comments. There were none. Chairman Maness said we will hold this one over, and for the record, if I was the animal control officer with some of these dogs, I would want a gun on my side. I understand and we will bring it up at another meeting.

Approval of the Tax Department Annual Settlement (f)

Chairman Maness asked Vickie Maness to come forward. Commissioner Knight said Mr. Chairman, the reason I wanted this off of the consent agenda was because I feel this is very important. There are some things in there that I would understand better if she would go over it and tell us. Chairman Maness asked Mrs. Maness to go over the Annual Settlement for the Board and then take questions.

Mrs. Maness went through and explained the Tax Annual Settlement.

Commissioner Knight said you should be commended for collecting and balancing every penny. Mrs. Maness said it is all there.

Commissioner Corbett asked if you foreclosed on any homes this year. Mrs. Maness said no homes. Mr. Corbett asked mobile homes. Mrs. Maness said I don't think we had any mobile homes. Mr. Corbett said what about cars? Mrs. Maness said no cars.

Commissioner Knight asked if we are getting around to the delinquent taxes to the point where we are going to do something with the property. I couldn't find it in here anywhere. Mrs. Maness said we have a foreclosure sale once a year, this year it will be September 21. We make no exceptions; we foreclose if it is not paid. In September we will be foreclosing on 2004 taxes. It takes us about a year to do foreclosures. Mr. Knight asked if that is on a report. Mrs. Maness said I have that on a report if you want it, I can get it to you. Mr. Knight said okay.

Mrs. Maness said you also mentioned the delinquent taxes. We continue to collect these. The rates continue to climb. We have about \$35,000 in bankruptcy we can't touch. We go after all we can.

This all includes the County regular taxes, fire taxes, and the town taxes.

Commissioner Knight asked about the money collected from the towns. Where does it show up at? Mrs. Maness said that would show in the finance records. Mr. Knight said that comes in as revenue what they pay to us, I know now.

Chairman Maness said I appreciate the job you do. Commissioner Knight said that is one reason I wanted you to come to tell you how much we appreciate your work. Commissioner Corbett said our tax office is one of the top 10 collections in the state.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris and so the motion carried unanimously to approve the Annual Tax Department Settlement.

Strategic Planning Report

Mrs. Judy Stevens, EDC Director introduced Mr. Darren Rhodes. She told the Board she appreciated the Board giving them some time to discuss the 21st Century community efforts last year and continuing. As you know, the Department of Commerce named Montgomery County at 21st Century Community last year. That designation was based on high unemployment rates and loss of jobs. That designation brings with it a lot of help from the Department of Commerce which we have had. We have the Assistant Secretary of Commerce with us tonight, Lee Simpson and Kenneth Flowers also with the Department of Commerce, Darren Rhodes also with the Department of Commerce and David Fitsel with the Department of Commerce, Division of Community Assistance out of Winston Salem who have worked diligently with us over the last year. Also Mary Ann Frederick was present.

Mrs. Stevens said I would like to thank the Chairs. We have had three committee who have worked very hard over the last year, the Infrastructure Committee is chaired by Lance Metzler, the Education Committee is chaired by Kerry Hensley (she had to leave to go to another meeting), and the Tourism Committee is chaired by David Zmiewsky. She thanked everyone who worked and all those involved in the efforts. Mrs. Stevens said there are a lot of people in the audience who served on the committee. She turned the meeting over to Darren Rhodes for the report.

Mr. Rhodes said before I get started I want to thank you on behalf of the 21st Century Committee to give me the opportunity to present their work which is communicated in the Economical Strategic Plan you have before you. To give you a little bit of background, as you know, many of North Carolina's communities face significant challenges in their efforts to become more competitive and to sustain community vitality and economic prosperity in the 21st Century. In responding to those challenges, in the fall of 2005, the Department of Commerce and Montgomery County came together in an economic development partnership called the 21st Century Communities Initiative. Based on a competitive application process, Montgomery County was one of four Counties chosen in the State to participate in the third round of this program.

Mr. Rhodes said as part of the 21st Century Communities Program the Counties followed a step by step planning process to strategically improve the economic development climate in the County. This process started well over a year ago and involved many people, some of whom are here tonight. It has been a really devoted and enthusiastic group of people and their efforts are seen in this plan. There are many good reasons to develop like this for the future in terms of identifying key issues and gaining consensus on how to address those issues and that has been done in this plan. He said I have been reminded on numerous occasions here in Montgomery County is that the key is to implement the plan. Mr. Rhodes said that is some of what I want to talk with you about tonight.

He said as I summarize the goals of the plan, I will highlight some of the early accomplishment already achieved by this committee. Again, there are three issue areas, infrastructure, education, and tourism.

Education's main goal is to improve education in Montgomery County in order to improve economic development. It is a very straight forward goal. The strategies to reach this goal were developed by various representatives from the community from the public schools, community college, the library, early childhood organizations, and many other interested citizens. He said currently the education committee is working on developing a

“Communities in Schools” initiative and also has explored the early college programs from various other counties.

Mr. Rhodes said Infrastructure had five goals:

- Establish a Countywide Recreation Program
- Develop an Industrial Mega Site
- Develop Greater Access to High Speed Internet
- To Extend Sewer Infrastructure
- Prepare and Adopt a Land Use Plan

As you know as Commissioners, some of these items goals have already been addressed through specific actions taken care by the County. There are other specific strategies listed in the plan that can be accomplished to further reach this goal.

He said finally the Tourism Committee had the primary goals of improving economic development for the County through tourism. Some of the strategies they have accomplished with your help are the reactivation of the occupancy tax and establishment of the Tourism Development Authority. They have developed the Uwharrie Mountain Festival to be held in October. He said various grants have been applied for by this group.

With this said, much work is left to be done. Close to half of the strategies in the plan are slated to be done within the coming year. The plan you have before you is a play book for improving the economic development climate. Now it is a matter of execution and implementation. The plan recommends the formation of an implementation committee.

The roll of Implementation Committee would be to engage stakeholders and implementation partners to track grant funding opportunities, to make sure the right people are focused on the right things, and to provide overall energy and action of overall implementation of the plan.

Mr. Rhodes said finally and in closing, the next steps in this process is hopefully are the adoption of the Strategic Plan by the Commissioners, formation of an Implementation Committee and then the beginning on the Implementation Committees work on adopting the plan. He said that is a very brief summary of the plan. He said he appreciates the opportunity to present the plan to the Board.

Mrs. Stevens asked Mr. Simpson if he would like to offer a word of greeting. Mr. Simpson came up and spoke before the Board. He said the last time we were here, we were kicking this off and today we are here with the plan. When we look at the track record of the other 19 counties that have gone through this, you guys have crossed the finished line quicker than anybody else. Of course, you were well on your way toward this. He said as Darren said earlier, people put plans together and put them up on shelves and they gather dust. The key thing about the 21st Century initiative is implementation phase, so those of us at the State level are interested in seeing you be successful. We are your partners; we are looking to move out smartly on this plan and we will provide all the assistance that you need on this. It is very apparent that you have a number of people in your community who are engaged in this and that is the key. We are ready to roll up our sleeves and get to work on this. Mr. Simpson said on behalf of Secretary Jim Fein, I would like to congratulate you on putting together the plan and look forward to working with the Implementation Committee to make sure all the projects and priorities that you have set for yourselves have been achieved. The Board thanked Mr. Simpson for being present.

Mrs. Stevens said I promised Kerry that I would announce the Kick-off for the Communities in Schools Program for the County Kick-off Luncheon will be Monday from 11:30 until 1:00.

Chairman Maness asked Mrs. Stevens before you sit down, is there any Commissioner that has a question.

Commissioner Knight said I don't know if I have mentioned this to you before or not. I believe we have a great tourism access down the road in Wadeville. We have a nation of people (they don't have a home to start with) there who are trying to develop an area down there, I am quite sure people in the County would like to see as far as their culture back in Cambodia. I don't see anything in the tourism plan addressing that. We talk about the Indian Mound. I think we are missing a great opportunity by not working with those people and helping them develop the projects that we are working on so that we in Montgomery County will know that they are not refugees.

Mrs. Stevens said they have been involved with the plan from the beginning. Geu Vang and some of those people have attended the tourism committee meetings and are very much on board. She said it may not be written in the plan, but they are very much a part of it. Mr. Knight said I would like to see it a part of the plan so that somebody could take the interest enough to get in there and assist those people in developing their plan. We are going to have boat shows and all that on the river. I can't think of anything that would be more important. I think that should be in the plan so someone will take the interest to work with these people in getting a road across the railroad. They said they can't get a road across the railroad. Everybody else gets roads across the railroad. Mr. Rhodes said this plan is a working document and I think that is part of the process so we can get input on things that haven't been added up to this point. Mr. Knight asked Mr. Rhodes if he could see that this gets added in the plan because words get lost. We have people struggling in a new country and they don't know how our system works and they need help developing their plans. I think it is a shame that we are not doing no more than we are doing. I just wanted to say that because we talk about everything else. They are not dumb people; they are some of the smartest people in our schools. I just want us to pay attention.

Mrs. Stevens said we will need action on the plan with that addition and any other suggestions.

David Zmiewsky announced the Uwharrie Days Festival on October 6 and 7. The Hmong and Lao have a presentation at the festival

In a motion made by Commissioner Knight, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the Strategic Planning Report with the addition of the Hmong Village being added with layout like others.

The Board took a five minute break.

Lake Tillery Fire Tax District Board Appointment

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to appoint Brady Dickson to serve on the Lake Tillery Fire Tax District Board.

Waterline Update

Tim Carpenter, Hobbs Upchurch was present before the Board to give an update.

He said the two outstanding projects are the Booster Pump Station Replacement which is under contract and we have had a preconstruction conference, all the materials have been ordered. Mr. Carpenter said you should see some earth moving on that here shortly. Lead time on the pump station is 16 weeks. The pump was ordered two weeks ago, so we have 14 weeks left and it should be a relatively short process. It will probably take them 30 days to do once they get started.

Mr. Carpenter said the next project is the Clearwell Project at the Water Plant in which you all have received more money in the form of a STAG Grant. He said I went and talked with Mary Beck our grants administrator and she is going to get the paperwork done and applications filled out on the STAG Funds. He said the way it works you get the appropriation through the Federal folks and then fill out the paperwork, so it is kind of backwards than what it normally works and we will get that started here shortly. Hopefully we will bid sometime in October. Mr. Carpenter said there will be a small environmental thing we will have to do for them, but we already have the FONSI from our Water District II project that covered that, so it should be real simple.

Mr. Carpenter said as far as the Miscellaneous Water Lines Phase II Project. We have had some recent developments. Lance and I have both talked with some of the State Representatives or State Agencies regarding this. He said I put a call in to see if we could go ahead and advertise the project for bid to the Public Water Supply Environmental Coordinator and also to the Public Water Supply Review Engineer. The response I got back was not exactly what I wanted to hear. I basically had said we Hobbs Upchurch have completed the environmental assessment, which has been completed for sometime. We went through the issue of the Inner Basin Transfer Certificate, which the County Manager contacted one of your representatives and she helped that process along and we appreciate that. We got that in the packet and sent it on to the State where it now sits in the hands of the Environmental Review Coordinator. Mr. Carpenter said the information they told me is that it would be 6-8 weeks before they had a FONSI (Findings of No Significant Impact) and because the Public Water Supply is the lead agency on this project, they will not issue the final permit or the authorization to construct unless they have the FONSI in hands. If you don't have the authorization to construct in hand then you can not start your project.

Mr. Carpenter said I think the County Manager can reiterate some of the things I have been dealing with over the past year in trying to get these final pieces of the puzzle pulled together.

He said I talked with the Public Water Supply Review person today and had a rather heated discussion on what you can and cannot do before you have the FONSI. Mr. Carpenter said my insertion is that we can bid the project, receive bids, which puts you a month to 45 days ahead of schedule while that FONSI process is going on. He read an email back which says "we recommend against bidding the project prior to the completion of the Environmental Review for several reasons. One the Environmental Review may well generate some comments that will need to be addressed by changes in the plans and specifications for the project." Mr. Carpenter said I don't agree with that because we have already been through the review process with all of the local agencies and have made the changes they have asked for, we made the changes on the EA, we made the changes on the plans, and we have done everything they have asked us to do, right in order.

The second issue "requires a complete environmental review before final action or awarding your project." Mr. Carpenter said we are not asking them to award the project, before that 6-

8 week period, we are asking him for permission to advertise for bids, have the bids, and be ready.

Mr. Carpenter said his last comment was “you can not award the project without the A to C,” which is the Authorization to Construct”, again, we are not asking him to awarded it, we are asking him to allow us to bid it to save on our time line.

Basically, what he has told the County Manager and I is bidding or advertising it now, would put our funding at risk. I don't think our gentleman is our last stop. We are trying to push it along. I had hoped we would be under construction at this point. It was our intent to be under construction by this point. I have honestly; the people in our office have done absolutely everything we have been asked to by the State with in regards to the Plan Review with regard to the Environmental Assessment, and we keep hitting a brick wall.

Mr. Carpenter said if the County Manager wants to describe his conversation, I think he can tell you he has also hit the brick wall with this situation. He said my hands are a little tied right now. We do have a couple steps above that we can talk to. I just got this email, but we will certainly try that. The worse case 6-8 weeks, but in this email he comes back and says 4-6 weeks, so he has dropped his timeline already by at least two weeks. Mr. Carpenter said I would like to still make a formal request from the State to let us go ahead and let us to advertise the project; by contract documents, you have 60 days to award, which more than accounts for the 6-8 weeks they are talking about. Get the bid; bring it to the Commissioners for a recommendation of award, contingent upon approval from the State. Once we have that approval from the State we are ready to set things in motion. You are not technically awarding anything until we have it. We are in a little bit of a pinch here and bring it to light to everybody. Time wise, best case it puts us into October before having the opportunity to construct.

Commissioner Knight asked how long the bidding process is. Mr. Carpenter said typically three to four weeks; usually advertise 30 days to make sure you reach out to a lot of contractors to make sure to get competitive bids. We have advertised in three weeks, there are no statutory requirements, only the seven days advertising, but with seven days you will not reach a lot of contractors. I would say a minimum of three weeks.

Commissioner Knight asked what unit are we talking about, federal, state, or what. Mr. Carpenter said it is a SRF, State Revolving Loan Fund. It is a Federal SRF, it is federal money locked down to the State to administer in terms of low interest loans. It has a federal component to it, but it also has a State component in the administration. He said what happens is when they bring that money down from the Feds, they give it to Public Water Supply for water related projects. The Public Water Supply Section, their SRF funding unit to administer the monies. They get the projects, they get the original funding application, and they administer funds. They review bids. They are a funding agent if you will. With them being the leading funding agency, they also have the lead role because they are the Public Water Supply Section who reviews the plans and specs for consistency with PWS rules. They can hold the permits, they do hold up your permits until they have certain things done in terms of environmental because they are the lead agency.

Commissioner Knight said I know there are people all over the State that are having problems with water, but I haven't heard on the news where it is as bad as it was a few years ago. Mr. Carpenter said yes, a few years ago, we went through a very, very, severe record drought. He said this summer we went through a period, in my opinion, that would constitute a drought and I am sure these people back here would agree with me. There are

numerous water systems across the State who has voluntary and mandatory conservation measures even with the rain we have received as of late. We are behind in the rain, I think everybody knows that. Well levels have dropped in several locations some worse than others.

Mr. Carpenter said my conversation with this gentleman today, I told him you funded this project based on critical need, and the critical need doesn't seem to carry any importance to you because this process has taken two years, evidently they don't consider anything very critical. He said we had a rather colorful discussion today.

Commissioner Knight said what I am saying is he works for somebody. Mr. Carpenter said yes sir, he works for you. Mr. Knight asked if he is a State official. Mr. Carpenter said no sir he is a hired State employee. Mr. Knight said I read a letter where you wrote Representative Wade (Goodwin), Goodman, Tillman, I believe. Mr. Carpenter said that was to help if we could push the intergovernmental process of the EA, because they are saying it will last for 30 days. The comments they are going to provide are going to be insignificant because we have already answered them. They have a statutory responsibility of 30 days. I am not saying this intergovernmental review is dragging their feet by any means, but I am saying if someone could say could you take this one and push it along a little and get it back to PWS so they issue a FONSI, that is what that email was asking.

Mr. Knight asked if there is anybody you can see. The Governor probably appoints a secretary or somebody over that. Mr. Carpenter said the Section Chief of PWS is a lady by the name of Jessica Miles. She is several people's boss within PWS. This gentleman sent this email and copied a lot of people none of which were Jessica Miles, but he did his two immediate supervisors.

Mr. Carpenter said it is just a frustrating situation. He said I have been frustrated by it and frustrated by it and right now, when I talked with him today and I know my blood pressure went up. It is a bureaucratic process to it, partly because of the Federal component and they get audited, but mostly because it is a bureaucratic process.

Chairman Maness said I am sure all of the other Commissioners are getting calls like I am about, again, like a broken record, we promised water lines. I have been keeping up with the emails that have been copied to me. What can we do as a collective Board?

Mr. Carpenter said as a collective Board, you can either wait and hope they will expedite the timeline or secondly make a phone call collectively as a Board to some names of people we can give you and say that we need to speed this process along, we have folks with unsafe water, no water to drink, and a dire need. It is a need that we are not getting satisfied.

Commissioner Corbett said I think we should get an appointment with this guy face to face all of us. Commissioner Morris said that is a good idea. Commissioner Knight said that is what I was trying to figure out is there somebody that is the head, we could get in the car and go tell them we have an emergency and we have some clown down there that is playing games with us, and we would like to get water to these people who don't have water. Commissioner Knight said I would be glad to ride to Raleigh.

Chairman Maness said why don't we have Lance put something together with Melanie, Tillman, don't forget Pryor, Almond . . . get all of them involved and let them know we are coming up there. Take them with us and have them get in their face with us.

Mr. Carpenter said these folks do not understand that they fund you because they realize you have a need then you go through this process. In my opinion they are making light of the need. I will just say that bluntly.

Commissioner Corbett said Mr. Chairman I would like to suggest for the citizens of the County this has been going on so long, I think that you (Tim) need to get together with Lance and run an ad in the newspapers kind of updating them.

Mr. Carpenter said I understand. I have been standing up here making a fool out of myself and giving you all dates and it has never been my intention to look like I am lying to you. Commissioner Knight said I know, I know. Mr. Corbett asked Mr. Carpenter if he could help Lance put something together.

Chairman Maness said I know Tony Wooley has called me many times and says it has been x number of years and they just don't think they are going to get water. Mr. Maness said you know when you sit there and see them coming to you, it's like you were dreading getting up here saying I have to tell them that same story. We should be able to do differently than that. Mr. Carpenter said I have people that call me once a week and I have to tell them the same thing. I don't mind, but I have to tell them. I have not given these folks good news and I don't have any good news to tell you.

Chairman Maness said well, let's go to Raleigh.

Commissioner Corbett asked Mr. Carpenter if he has gotten up with Mrs. Robinson yet. Mr. Carpenter said on Belford Baptist Church. Mr. Corbett said yes. Mr. Carpenter said I have called a few times and have gotten voice mail. I talked with Mr. Bostic and he said he knew how to get up with her, but I have never actually gotten up with her. Mr. Corbett said there were a lot of post office boxes. Mr. Carpenter said we needed the physical addresses.

Mr. Carpenter said in regards to Cedar Creek Road . . . Chairman Maness said this is Mr. Williamsons' road? Mr. Carpenter said yes sir. Mr. Carpenter said I spoke with Mrs. Williams on the phone one day. Back when we did Water District II, Cedar Creek Road was a petitioned road, which was a USDA loan project that requires 10-12 houses per mile sign ups; at that time, neither Cedar Creek Road nor McCaskill Road neither one made it. When we did Phase I of the Misc. Water Main Ext. we took the most populated and served those. Cedar Creek Road right now is not on Phase II. I apologize I did not bring the list with me tonight, unless someone has it here tonight. It is on Phase III because of the sign up density. He said at the time we did this list, I don't think everyone was out of water. There is an option available to the Commissioners to extend that line. That is not a decision I can make. With the water coming into the new elementary school, they are going to come in on the north side off of the County's 12" line down to the intersection of Cedar Creek and McCaskill. I think Mr. Williamsons' house is about a mile I think he said. Right now, it is not on the list and has not gone through the environmental process.

Commissioner Knight asked where are we building the new school. Mr. Carpenter said at the corner of McCaskill and Cedar Creek roads. Mr. Knight said on 731? Mr. Carpenter said no, behind East Montgomery High School, Cedar Creek Road comes off of Troy Candor Road.

Mr. Knight said I think that is confusing to Mr. Williams because you said their name wasn't on the list. Mr. Carpenter said I didn't say their name wasn't on the list, I said the sign ups we got were not sufficient. Mr. Knight said what you are saying there are not enough sign

ups on that road to run the water. Mr. Carpenter said not on Phase II, no sir. Mr. Knight said so we have to have a Phase III to get water to them. Mr. Carpenter said no, you don't have to have a Phase III if the Commissioners say to add it to the list, it can be added to the list. We can not include it in the Phase II of this because it will upset the apple cart as far as timing. Mr. Carpenter said it might be something we can add as a change order. If that is done and we can generate the needs, which I think they certainly have.

Commissioner Knight asked how many more people out there need more sign ups. I thought we were kind of overlooking some of this with so many houses on the roads and trying to meet the needs of the people. Mr. Carpenter said we are. We dropped that criteria for Phase I and now with Phase II, if we get to Phase III it will be anymore. We are getting into the total population of 7 houses per mile. You have dropped that considerably. You as a Board have found a way to meet the needs while in the meantime staying financially responsible as you should. Not only financially responsible, but if you put in 5 miles of 6" waterline with only two people on it, you have an operations parameter too.

Commissioner Knight said I thought that road did not come to a dead end. Mr. Carpenter said are you talking about Cedar Creek? Mr. Carpenter said Cedar Creek comes off to the north of Troy Candor Road and comes up and runs into Biscoe and intersects with McCaskill.

There was some discussion on collecting lines.

Mr. Knight said I didn't realize we were going to run into problems like this. Mr. Carpenter said the prospect of getting water lines on every road in the County is not as practical as we would like it to be for several reasons, financially and operationally. It would be very expensive to run water to every road. The first time you left one out, you would have yourself another situation. There are certain situations more attractive than others. There are some houses along Cedar Creek Road that could be served within close proximity of a water line, those are situations that are more feasible and affordable than going to the most northern part 10 miles away from a waterline. There are roads such as Cedar Creek to do as SRF money as long as you can generate the need. SRF has a lot of money, but they don't want it to go because we say let's run water down here. It has to be generated by health needs and low yielding wells. Chairman Maness asked if he could let us know when we get into it or Hobbs Upchurch, the time for change orders. I'm sure we have one here and I am sure there are others like up toward Abner. People that need water and they didn't meet the criteria. Mr. Carpenter said it is right after construction starts. They will give you some allowances that have a need that are not too terribly expensive.

Chairman Maness said this isn't going to help Mr. Williamson because he basically said he was going to have to dig a well if we didn't run the water. Mr. Knight said Mr. Chair, if his name is not even on the list, there isn't even a chance he can get water for years. Mr. Carpenter said I didn't say his name is not on the list, I presume it is. Mr. Williamson said I turned it in three different times. I am sure it is on a petition, but if there are only 2 of 15 signed up that doesn't meet the criteria.

Commissioner Knight said I know we went to some of the other areas to solicit sign ups. Mr. Carpenter said Cedar Creek has been on this for a long time, since District II.

Mr. Williamson came forward. He said when they first came out with this list pertaining to Cedar Creek Road; they left one on my screen door. I signed and filled it out, and mailed it. I put in for Countywide Water. Everything was going smooth, everybody was proud they

were getting County water. They told us we could shut up our wells because we wouldn't need it anymore. They didn't say anything about these problems we have developed. From there, the next thing was they came around they said they didn't have half of the ones on the list, they said they had misplaced the ones they had. They were misplaced between the mail and somewhere over here in Troy. So, we have submitted the names again. I have submitted mine three times. I don't know today if mine is one there because I have lost interest. There is so much confusion and promises and just sitting here waiting and wondering why the County is always poor. Why can't we increase taxes to help the water system? Mr. Williamson said I have a list of those people who live on Cedar Creek Road. Mr. Carpenter said I have one. Mr. Williamson said you can keep this one, I am sorry I got involved I am here for my neighbors and friends. Chairman Maness said you are doing the best you can do. He said the County Manager has something to say.

Mr. Metzler said Mr. Chairman, Mark Reynolds is also here from Cedar Creek Road and he was telling me that there are many houses out through there. He said what I would like to do is have our Animal Control go back out there because there maybe be more houses out there than there were three years ago. He said I will go out there tomorrow. Mr. Metzler said we have the petition in the Water Department now.

Mr. Mark Reynolds from 1051 Cedar Creek Road appeared before the Board. Chairman Maness asked if he had lived there for a while. Mr. Reynolds said 15 years. He said when we have the big snow storm in 2000; we were without power 11 days. He said we would have had County water then, we could have flushed the toilets, and we could have cooked on our gas stoves. Mr. Reynolds asked how many sign ups. Mr. Carpenter said 36. Chairman Maness asked how long we have had those 36. Mr. Carpenter said we have probably always had the number of houses; we have always used the sign up documentation. Mr. Maness said so we don't have the sign-ups. Mr. Carpenter said I would tend to doubt we have had the sign-ups. Mr. Maness asked how many sign ups do we have. A lady from the audience said 27. Mr. Reynolds said I dare say from McCaskill Road, from Cedar Creek to Troy-Candor we probably, at the most 2 miles. You have this many within a two mile stretch. Chairman Maness said that would fit our criteria. Mr. Reynolds said if that don't fit I don't know what would.

Mr. Carpenter said let me go back to the way we originally did it. We took sign-ups and had areas with critical health needs (i.e. contaminated wells, arson, etc.). Mr. Carpenter said then we took the sign up data and tried to develop the highest density of houses per mile, is what it all boils down to. Chairman Maness said that is right. Mr. Carpenter said that is where we developed that first list. That is where we developed the secondary list in October of 2004. That is where we were at then and that is the data we had to work on. That is what we submitted on the application and what has been done on the plans and the EA.

I am sure things could have easily changed in terms of total sign ups. You have the option of doing a change order or you can take this list of names and sign ups and say they have problems. Mr. Reynolds said like iron. Mr. Carpenter said unfortunately iron does not justify a critical health needs. We could do a change order and attached the critical health need.

Chairman Maness said this fellow seems like he is the one to go around and see each person instead of our Animal Control. He knows the people. Let him go out. Mr. Reynolds said everybody looks out for each other in the neighborhood. Mr. Carpenter said what you need to do is get what sign-ups we have from Cedar Creek Road from Jo Haywood; there is no point of duplicating what you have. Mr. Carpenter asked Mrs. Morton to make a note to copy the file. He asked Mr. Reynolds to get with Mrs. Morton or Mrs. Haywood to get the

information. Mr. Reynolds asked when he should get this. Chairman Maness said tomorrow and if there is a possibility we can do a change order, then we can look at it at that time.

Chairman Maness said Hobbs Upchurch may want to go with us to Raleigh when we go and we will get it lined up and taken care of.

Chairman Maness said Tim it has been a pleasure. Commissioner Knight said Tim you are doing a good job.

Mr. Carpenter said thank you. He said the last order of business, as of Friday, August 18, I will be resigning my post at Hobbs Upchurch & Associates. I have taken an opportunity in Raleigh. It is a good opportunity for me and my family. He said it has been a pretty trying decision to make because I worked with a lot of good clients and have worked with a lot of good people at Hobbs Upchurch. It is for no other reason but it is a good opportunity for me. It is not with another engineering firm, but a construction company. I need to try, if I don't try it now, I will never try it. It has been a pleasure working with Montgomery County, my home County; I have taken a lot of pride in what we have done. We have a gentleman by the name of Brad Bucey who runs our Charlotte office, who is laid back, in a good sense. He is a very qualified engineer, a good guy. I met with him today and the past few days and have been briefing him on the problem on the projects. I wanted to pass this along and wanted you to know I have really enjoyed working with you and appreciate you support.

Chairman Maness said I will speak first. I have worked with you about 6 years now. We have been through a lot bringing the water plant back in house, running water lines, drilling under driveways, and all kinds of stuff, so I appreciate what you have done. I know Ralph has worked with you longer than I have. I know it has been some trying times, just like now. Mr. Carpenter said it is just a job and I have never taken it personally. Mr. Knight asked how you keep from taking it personal. I take my job personal. Mr. Carpenter said I take my job serious, but not personal because you guys have always have had people pulling on you needing things. What you guys do is a tough job and you should be commended for it. Chairman Maness said we appreciate what you have done.

The Board wished Mr. Carpenter well and good luck.

County Finance Office Report

Cathy Baxter, Finance Officer presented the following budget amendment requests:

- Designated Fund Balance 74/06
- Montgomery Youth Services 02/07
- WIC 03/07

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve budget amendments 74/06 Designated Fund Balance (below); Montgomery Youth Services, \$1,000; and WIC, \$3,000.

06/30/06

BA 74/06

**COUNTY OF MONTGOMERY
COUNTY FINANCE OFFICE
REQUEST FOR BUDGET
AMENDMENT
For Fiscal Year Ending June 30,
2006**

Requesting Department:
Designated fund balance

Budget Line Item Code	Line Item Description	Current Budget	Amended Budget	Change to Budget
11-4170-0433	HAVA GRANT	0.00	5,399.00	5,399.00
11-4170-0435	Technology Grant	0.00	932.00	932.00
11-4170-0436	List Maintenance	0.00	39.00	39.00
11-2930-0000	Reserved for Board of Elections	0.00	(6,370.00)	(6,370.00)
11-4310-0231	D.A.R.E.	8,000.00	13,740.00	5,740.00
11-2930-0005	Reserved for D.A.R.E.	0.00	(5,740.00)	(5,740.00)
11-4310-0004	C.A.R.E.	2,000.00	2,941.00	941.00
11-2930-0004	Reserved for C.A.R.E.	0.00	(941.00)	(941.00)
11-4310-0229	Dog Expense	0.00	3,362.00	3,362.00
11-2930-0003	Reserved for Drug Dog	0.00	(3,362.00)	(3,362.00)
11-5374-0680	FEMA	4,467.00	10,949.57	6,482.57
11-5349-0700	Spec. Child Adoptions	1,000.00	6,956.49	5,956.49
11-5310-0433	Preplacement Assess/FC/Adoption	2,000.00	10,494.94	8,494.94
11-2930-0000	Fund Balance Appropriated	(3,882,642.00)	(3,903,576.00)	(20,934.00)
11-2930-0000	Fund Balance Appropriated	(3,903,576.00)	(3,851,171.22)	52,404.78
11-2920-0002	Reserve for DSS	(62,573.04)	(114,977.82)	(52,404.78)
11-2920-0000	Reserved for Health Dept.	(54,374.22)	(86,354.00)	(31,979.78)
11-2317-0000	Deferred Health Revenue	(129,374.00)	(97,394.22)	31,979.78
12-1120-0010	Cash in Bank-Automation Fund	5,462.00	11,879.96	6,417.96
12-3980-0991	Fund Balance Appropriated	(1,561.00)	(7,978.96)	(6,417.96)
11-2930-0000	Fund Balance Appropriated	(3,851,171.22)	(3,844,753.26)	6,417.96
11-1120-0010	Cash in Bank-General Fund	(531,792.82)	(538,210.78)	(6,417.96)

(8,528,960.30) (8,528,960.30) 0.00

Purpose

To record designated fund balances to proper accounts for the year ending 6/30/2005

Budget
Amendment

Approved
Disapproved

County Manager

County Manager's Report

Mr. Metzler presented the following report:

Strategic Planning (Darren Rhodes)

- Above

Update from Planning and Zoning on Current Subdivisions

As per your request, Mr. Henley is here and has provided a list of subdivisions and their current status. Mr. Henley came before the board. He said we currently have four subdivisions in the process. Two have come before the Planning Board for the preliminary approval and will be allowed to proceed until they get the final approval, when they get their paperwork ready. We have two that have applied, one will be coming to the Planning Board this month, and one will be coming next month. They will be allowed to proceed through the preliminary. If these go through the preliminary approval process and they are turned down, they will have fall under the moratorium and would have to come back once the moratorium is lifted. If they are approved they can proceed to the final.

Commissioner Knight asked what's the cut-off date on that? Mr. Henley said when the Board set the Public Hearing. Mr. Knight asked when did we agree to set the public hearing. Mr. Metzler said August 1.

Chairman Maness asked where the subdivision in Fairway Shores stands. Mr. Henley said they have an application which has been accepted for preliminary approval. Mr. Maness said there were sub-sized lots in there correct? Mr. Henley said yes. Mr. Metzler said there may need some clarifications; he said when it first came to the County it didn't meet the criteria for subdivisions; there was a check list from A-Z they had to meet. There were a lot of areas they didn't have to meet. We are waiting on an interpretation; it may or may not go to the Planning Commission. We are awaiting her response.

Commissioner Corbett asked if you have sent the information to Ginger. Mr. Metzler said the moratorium information. Mr. Corbett said yes. Mr. Metzler said yes.

Chairman Maness asked when the first moratorium meeting is. Mr. Metzler said August 22 at 10 a.m.

Commissioner Corbett asked about VK Development. Mr. Metzler said I talked with Ajay two weeks ago. He said they would be doing some earthwork in September.

Commissioner Knight said just because all of these people meet the ordinance, when they come in I assume they will be hooking up to water. This is a lot of people we already approved. Are we going to be able to service them as far as the service line and all of this? Mr. Henley said they will have to prove that to the Planning Board before they get final approval. Mr. Knight said they have to prove that to the Planning Board. Mr. Henley said yes. Chairman Maness said a lot of these developments will not require sewer lines it will require septic tanks. Mr. Henley said before they are approved they have to have all permits in hand. Commissioner Knight said good.

Hardships

Mr. Henley said I found four hardships. Mr. Dennis and Mr. Barbee are still in compliance. The others ones are in Twin Harbor. The wife has refused to take down the plastic. She wants to leave it up permanently and she said she would be back before the board.

Chairman Maness said there was another one in Eldorado, the Goforth's. Mr. Henley said it was never occupied and they never finished setting it up to be occupied. Mr. Henley said I will check on it.

Junk Cars

Mr. Henley said we are handling the ones we have complaints on. Most have been cooperative except for two of them and I haven't heard from them. The other four have agreed to clean it up. The one on Hearne Farm Road said if we would give him 30 days he would clean it up. Mr. Henley said the other one is Nance Farm Road and that one would be a problem. Chairman Maness said we move them if they don't and if they don't pay us, we will put a lean against his property. Mr. Henley said yes sir.

Mr. Henley said the one up on 109 have agreed to move the buses. Most have been very cooperative. Mr. Knight said I don't think we will have as many problems as we think we will have.

Garr Creek Decision

Mr. Metzler said Commissioners toured the creek on Friday.

Chairman Maness said Commissioner Corbett, Commissioner Bostic and Mr. Laney toured the area on Friday. Larry Laney took us out. They thanked Mr. Laney for the tour.

In a motion made by Commissioner Knight, seconded by Commissioner Corbett, and so the motion carried unanimously to leave the No Wake Zone as is on Garr Creek.

Springdale Heights CDBG Project

As you are all aware Springdale Heights has had some serious problems relating to their septic systems and the need to have the piping and hook in to Troy's sewer system. I would like to apply for \$750,000, through CDBG, to do a phased project for Springdale Heights. The grants have to be in by December 1st and it will take me every bit of that time. I would ask that the Commissioners to consider have a public hearing for public comment at their September 5th meeting on providing sewer in Springdale Heights' area. (Phase 1 of two phases).

Chairman Maness asked if they get this grant it will be mandatory. Mr. Metzler said yes. As far as the tap fees, etc. they can be worked out.

Commissioner Knight asked if the Board needs to consider requiring developers put the new meters in. Mr. Metzler said that is a very good point, we can certainly ask them.

In a motion made by Commissioner Knight, seconded by Commissioner Bostic, to set the public hearing for September 5, 2006 meeting for the \$750,000 Application for the CDBG Funds.

County/Town Joint Meeting

Just a reminder that we have a joint meeting with the Towns in Montgomery County to discuss mutual issues/concerns on August 17th at 6:00 p.m. at the James Garner Center.

He said if you have any topics, please contact myself or Mrs. Morton and we will put that on the agenda.

Cemetery RFP

Mr. Metzler said we have been working with a Cemetery Committee on the Cemetery RFP and I told the Board I would bring it back for their consideration to put out to service providers in the County.

He said we have been contacted by a lot of contractors once we put out the Minority Business Plan.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to approve the Cemetery RFP and send it out to service providers.

Badin Lake Fire Commission

Badin Lake Fire Commission decided not to provide the funding for the ambulance services, so I will be meeting with First Health and representatives from the area to see what we can do to address the issues with the Ambulance Service. He said I will bring it back to you.

Chairman Maness said we have to have something in place by the end of August. Mr. Metzler said that's right. The whole budget was contingent upon us receiving that. Chairman Maness said if you need to call any Commissioners to get something rolling, please do that.

Commissioner Knight asked how much money would be involved if we have to pay? Mr. Metzler said \$20,000 a year for five years.

Items Carried Forward from the Work Session

DSS Facility

Mr. Metzler recommended the Commissioners approve the \$250,000 we have in the DSS Funds for Architectural and Engineering for a new facility. Chairman Maness said include it in Phase I of the Capital Improvement Plan.

In a motion made by Commissioner Knight, seconded by Commissioner Corbett, and so the motion carried unanimously to approve the \$250,000 in the DSS funds for Architectural and Engineering for a new facility and include it in Phase I in the Capital Improvement Plan.

Adjournment

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

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board