

Regular Session, June 3, 2013, 9:30 a.m.  
Catawba County Board of Commissioners

**Appointments**

Western Piedmont Council of Governments Aging Advisory Committee	805	06/03/13
Social Services Board	805	06/03/13
Tax Administrator	805	06/30/13

**Budget**

2013-14 Budget	817	06/03/13
Budget Transfers	825	06/03/13

**Closed Session**

Atty Client Privilege/Economic Development	825	06/03/13
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**Library**

Conveyance of Maiden Branch Library Building	812	06/03/13
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**Ordinances**

Amendment to Solid Waste Management Ordinance	805	06/03/13
Amendment to Administration/County Manager Code of Ordinances	806	06/03/13
2012 CDBG Scattered Site Housing Program	812	06/03/13
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**Planning, Parks and Development**

Appointment of Map Review Officers	811	06/03/13
2012 CDBG Scattered Site Housing Program	812	06/03/13

**Presentation**

Side Arm and Badge to Retired Sheriff Deputy Michael Hale	805	06/03/13
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**Proclamation**

Local Foods Month	805	06/03/13
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**Property**

Notice of Upset Bid – Real Property	809	06/03/13
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**Resolutions**

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**Utilities and Engineering**

Interlocal agreement with Newton – water line project Balls Creek Rd/ Buffalo Shoals Rd	814	06/03/13
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The Catawba County Board of Commissioners met in regular session on Monday, June 3, 2013 at 9:30 a.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse, 21 East 1<sup>st</sup> Street, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Barbara G. Beatty and Commissioners Lynn M. Lail, Dan A. Hunsucker and Randy Isenhower.

Also present were County Manager J. Thomas Lundy, Assistant County Managers Dewey Harris and Mary Furtado, County Attorney Debra Bechtel, Assistant County Attorney Jodi Stewart and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Commissioner Dan Hunsucker led the Pledge of Allegiance to the Flag.
3. Vice-Chair Barbara G. Beatty offered the invocation.
4. Commissioner Beatty made a motion to approve the minutes of the Board's Regular Meeting of May 20, 2013. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all and specifically recognized Sheriff Coy Reid.
6. Public Comments for Items Not on the Agenda: None.
7. Presentations:
  - a. Chair Barnes and Sheriff Coy Reid came forward to honor Sheriff's Deputy Michael Hale, who retired effective June 1, 2013, after over thirty years with the Catawba County Sheriff's Office. Under North Carolina General Statute 20-187.2, and by a motion by Commissioner Randy Isenhower which carried unanimously, the Board declared as surplus the service sidearm and badge of Deputy Hale, and presented those items to him.
  - b. Commissioner Hunsucker presented a proclamation to Cooperative Extension Director Jeff Carpenter and staff members declaring June as Local Foods Month in Catawba County to recognize that local agriculture and locally grown foods are an important part of a sound economy and a safe, healthy and secure food supply.
8. Appointments:

Commissioner Lynn Lail recommended the appointment Robert Spuller and Scott Ross for first terms on the Western Piedmont Council of Governments Aging Advisory Committee as well as the reappointment of Richard Smith for a second term on this committee. These terms will expire June 30, 2015. Commissioner Lail also recommended the reappointment of Michael Blackburn for a second term on the Social Services Board. This term will expire June 30, 2016. County Manager J. Thomas Lundy recommended the reappointment of Mark Logan as Tax Administrator for a third term. This term will expire June 30, 2015. Chair Barnes noted that these recommendations had come in the form of a motion. The motion carried unanimously.
9. Consent Agenda:

County Manager Lundy presented the following four items on the consent agenda:

  - a. A request for the Board to approve a revision to Chapter 32 of the Catawba County Code, Solid Waste Management. Section 32-6(a)(1) of this chapter stated that solid waste containers may not exceed a capacity of 35 gallons, but it now permits the use of containers with a capacity of up to 96 gallons. Under the County's new solid waste franchise agreement, Republic Waste will require 96 gallon containers for both recycling and regular household waste by January 1, 2014, because special trucks will be needed to provide single stream recycling and automated collection. The following ordinance applies:

**Ordinance No. 2013-04**

**BE IT ORDAINED that the Catawba county Code of Ordinances, Chapter 32, Solid Waste Management, is hereby amended to read as follows:**

## CHAPTER 32 SOLID WASTE MANAGEMENT

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### **Sec. 32-6. - Storage, accumulation and disposal of garbage and solid waste.**

(a) No owner, occupant, tenant, or lessee of any property shall deposit, store, or license to accumulate any garbage or solid waste upon such property that is not stored or disposed of in the following manner:

(1) It shall be unlawful for any person to store any garbage in any container that is not durable, rust-resistant, nonabsorbent, watertight, rodent-proof, and easily cleanable with a close-fitting, fly-tight cover in place with adequate handles or bails to facilitate handling, not to exceed a 96-gallon capacity, or other types of containers conforming to the intent of this chapter. It shall also be unlawful for any person to store garbage of a perishable or offensive nature for more than one week in any type of container.

This the 3<sup>rd</sup> day of June, 2013.

b. A request for the Board to approve an amendment to the County Code, Chapter 2 Administration, Article III Officers and Employees, Division 2 County Manager, Section 2-113 Powers and duties, to include the delegation of authority to waive solid waste, building permit, zoning, and flood plain development permit fees associated with sustained damage as a result of a natural disaster and subsequent declared state of emergency. Emergency Services will be required to certify any and all storm damage to property and predict the certified quantity of damage to be waived prior to permitting or storm debris disposal or issuance of waiver. Board Chair Katherine W. Barnes declared a State of Emergency for Catawba County late on the afternoon of Monday, May 6, 2013, in response to serious flooding in several areas of the county. This flooding resulted in damage to more than 50 homes in the northern and eastern parts of the county. Extensive rain at the headwaters of the Catawba River caused the river and lakes to rise rapidly on the morning of May 6, 2013. The Board acted at its May 20, 2013, meeting to waive solid waste, building permit, zoning and flood plain development permit fees associated with this flooding once the damaged properties were certified by Emergency Services. Due to the two week delay between the date of the disaster and the first Board of Commissioners meeting when the Board could act on these waivers, it was requested that the waivers be retroactive for those individuals who had already incurred some of these fees. To avoid such a delay should a future disaster occur, staff requested that the authority to waive these fees be delegated to the County Manager. The following ordinance applies:

### **Ordinance No. 2013-05**

**BE IT ORDAINED that the Catawba County Code of Ordinances, Chapter 2 Administration, Article III Officers and Employees, Division 2 County Manager, is hereby amended as follows:**

#### **Sec. 2-111. - County manager form of government adopted.**

At its meeting of March 1, 1937, the board of commissioners adopted the county manager form of government. Upon the appointment of a manager, such officer shall have the powers and duties granted by state law.

#### **Sec. 2-112. - Appointment; compensation.**

The board of commissioners shall appoint an officer whose title shall be county manager and who shall be the chief executive officer of the county and the head of the administrative branch of the county government. The county manager shall be chosen by the board solely on the basis of executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office as prescribed in this division. At the time of the appointment

the county manager need not be a resident of the county, but shall reside in the county during the tenure of office. The county manager shall serve at the pleasure of the board of commissioners and shall receive such salary as the board shall fix.

**Sec. 2-113. - Powers and duties.**

The county manager is the chief administrator of county government. The manager is responsible to the board of commissioners for the administration of all departments of county government under the board's general control and has the following powers and duties:

1. The county manager shall appoint, suspend or remove all county officers, employees, and agents except those who are elected by the people or whose appointment is otherwise provided by law. The county manager shall make appointments, suspensions, and removals in accordance with the personnel regulations set forth in [chapter 28](#) of this Code.
2. The county manager shall direct and supervise the administration of all county offices, departments, boards, commissions, and agencies under the general control of the board of commissioners, subject to the general direction and control of the board.
3. The county manager shall attend all meetings of the board of commissioners and recommend any expedient measures.
4. The county manager shall see that the orders, ordinances, resolutions, and regulations of the board of commissioners are faithfully executed within the county.
5. The county manager shall prepare and submit the annual budget and capital program to the board of commissioners.
6. The county manager shall annually submit to the board of commissioners and make available to the public a complete report on the finances and administrative activities of the county as of the end of the fiscal year.
7. The county manager shall make any other reports that the board of commissioners may require concerning the operations of county offices, departments, boards, commissions, and agencies.
8. The county manager shall have the authority to waive solid waste fees when they are associated with recurring county-associated events and/or county-owned or -associated property.
9. The county manager shall have the authority to waive solid waste, building permit, zoning and flood plain development permit fees when they are associated with situations in which individuals or businesses have sustained damage as a result of a natural disaster, Emergency Services staff have

certified the damage, and the chair of the board of commissioners had declared a state of emergency pursuant to state law related to the natural disaster.

**State law reference**— Powers and duties of manager, G.S. § 153A-82.

**Sec. 2-114. - Acting county manager.**

By letter filed with the clerk, the manager may designate, subject to the approval of the board of commissioners, a qualified person to exercise the powers and perform the duties of manager during the manager's temporary absence or disability. During an absence or disability, the board may revoke the designation at any time and appoint another person to serve until the manager returns or his disability ceases.

**State law reference**— *Acting county manager*, G.S. § 153A-83.

**Sec. 2-115. - Interim county manager.**

Whenever the position of county manager is vacant, the board of commissioners shall designate a qualified person to exercise the powers and perform the duties of manager until the vacancy is filled. The board may designate the chairperson or some other member as interim manager; for the interim the chairperson or member shall become a full-time county official, and the board may increase the salary pursuant to G.S. 153A-28.

**State law reference**— Interim county manager, G.S. § 153A-84.

**Sec. 2-116. - Authority to lease unused sanitary landfill land.**

The county manager is authorized to enter into a one-year lease for those portions of the sanitary landfill sites not being used for a sanitary landfill. The county manager is authorized to lease the property to the individuals, firms, or corporations upon such terms and conditions as will be determined in the best interest of the county.

**Sec. 2-117. - Authority to lease county property for short term.**

The county manager is authorized to lease or rent county property for terms of one year or less if the county manager determines that the property will not be needed by the county during the period of such lease or rental. Such leases shall be reported to the board of commissioners within 15 days.

**Sec. 2-118. - Authority to contract.**

The county manager, or designee, is authorized to execute agreements, within funds included in the budget ordinance or other actions by the board of commissioners, for the following purposes:

- (1) Form grant agreements to public and nonprofit organizations.
- (2) Leases of routine business equipment.
- (3) Consultant, professional or maintenance service agreements.
- (4) Purchase of supplies, materials or equipment where formal bids are not required by law.
- (5) Applications for, and agreements for acceptance of, grant funds from federal, state, public and nonprofit organization sources, and other funds from other government units, for services to be rendered, which have been previously approved by the board.

- (6) Construction or repair projects.
- (7) Liability, health, life, disability, casualty, property or other insurance or performance bonds, other than similar items required by the sheriff or the register of deeds.
- (8) Administrative contracts, which may include those adopted in accordance with directives from the board.
- (9) Real estate leases, which will subsequently be reported to the board of commissioners.

**Sec. 2-119. - Authorization to award and reject bids.**

- (a) Pursuant to G.S. 143-129, the county manager is authorized to award formal bids received in amounts less than \$250,000.00 within the following guidelines:
  - (1) The bid is awarded to the lowest responsible bidder.
  - (2) Sufficient funding is available within the departmental budget.
  - (3) The purchase is consistent with the goals and/or outcomes of the department.
- (b) The county manager shall further be authorized to reject any and/or all bids received if it is in the best interest of the county.
- (c) A report shall be made to the board of commissioners of all bids awarded or rejected under this section and entered in the minutes of its formal sessions.

**Secs. 2-120—2-145. - Reserved.**

This the 3<sup>rd</sup> day of June, 2013.

c. A request for the Board to declare County-owned property located off Harris Avenue in Newton as surplus and accepted an offer of Mr. Joshua Sipe in the amount of \$500, subject to the upset bid process. As a result of a judgment issued against the former property owner, Sandy Pines Corporation, the County obtained the property in July 2009 at a cost of \$600. The tax value on the property is \$6,400. The property consists of 0.72 acres, with no direct access. Catawba County does not have any use for this property at the present time or in the foreseeable future. The County will notify adjacent property owners of the offer from Mr. Sipe and inform them of the upset bid process if they are interested in the property. Mr. Sipe, who resides at 1921 Nance Drive in Newton, submitted a bid deposit of \$25, as required by County policy. Notice of the bid will be advertised in the Hickory Daily Record and Observer-News Enterprise, and upset bids may be made to the County within ten days of publication. Once an upset bid has been received, that bid will be re-advertised until there are no further upset bids. The successful bidder must present cash or a certified check for the entire balance due within ninety days of the last day for receipt of upset bids. The following resolution applies:

**Resolution #**  
**Notice of Upset Bid - Real Property**  
**Parcel ID #3649-0898-2965**

WHEREAS, the County of Catawba owns certain property located at Off Road 1800 in Newton as shown in Plat Book 601, Page 281 in the office of the Register of Deeds for Catawba County, to which plat and the record thereof, reference is hereby made for more complete description, and

WHEREAS, North Carolina General Statute 160A-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$500, submitted by Joshua Sipe; and

WHEREAS, Joshua Sipe has paid the required 5 percent (5%) deposit on his offer;

WHEREAS, the Catawba County Board of Commissioners accepts the offer of \$500 or any higher, upsetting offer, subject to the upset bid procedure;

THEREFORE, the Catawba County Board of Commissioners resolves that:

1. The Catawba County Board of Commissioners authorizes the sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269.
2. The Purchasing Agent shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Purchasing Agent within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Purchasing Agent shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the Purchasing Agent shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than 10 percent (10%) of the first \$1,000 of that offer and 5 percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of 5 percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property.

This the 3<sup>rd</sup> day of June, 2013.

d. A request for the Board to approve a request made by the City of Hickory and Town of Catawba to amend the list of Map Review Officers. On July 17, 1997, the General Assembly ratified Senate Bill 875 - Maps and Plats Law. This law required all counties to appoint Review Officers who would review each plat or map before it is recorded and certify that it meets the statutory requirements for mapping. The law

states that individuals have to be appointed by name, not job title, so any time a change occurs in staffing a new Review Officer has to be appointed and approved by resolution of the Board, and then recorded in the Register of Deed's Office. The City of Hickory requested that its new planner, Shamaury Myrick, be added to its list of approved Map Review Officers. The Town of Catawba requested that John Kinley be removed due to his leaving his position and that his replacement, Shelley Stevens, be listed as the Town's new Review Officer.

The active list of Review Officers are: Catawba County: Jacky M. Eubanks, Mary K. George, Susan Ballbach, and Chris Timberlake; City of Hickory: Brian Frazier, Cal Overby, John Furmage, David Leonetti and Shamaury Myrick; City of Newton: Alex S. Fulbright, and Maxton D. Sigler; City of Conover: Q. Lance Hight, and Cara C. (Chris) Reed; City of Claremont: Laurie Locicero; Town of Long View: David Epley, and Charles T. Mullis; Town of Maiden: Travis Ramsey; Town of Catawba: Shelley Stevens; Town of Brookford: Marshall Eckard. The following resolution applies:

**RESOLUTION #2013-\_\_\_\_\_**  
**APPOINTMENT OF MAP REVIEW OFFICERS**

**WHEREAS**, S.L. 1997-309 (SB875) made a number of significant changes in the procedures for recording maps and plats; and

**WHEREAS**, the main purpose of the law was to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

**WHEREAS**, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person or persons to serve as Review Officer to review each plat or map before it is recorded and certify that it meets the statutory requirements for recording; and

**WHEREAS**, it is the desire of the Catawba County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

**WHEREAS**, the Catawba County Board of Commissioners on February 18, 2013 adopted Resolution #2013-04 which included names of individuals who were appointed as Review Officers for representative jurisdictions in Catawba County; and

**WHEREAS**, said Resolution was recorded in the Office of the Register of Deeds in Book 3173 Pages 1312-1314; and

**WHEREAS**, staffing changes have occurred in the City of Hickory and the Town of Catawba, which necessitate an amendment to the approved list of Map Review Officers.

**NOW THEREFORE, BE IT RESOLVED**, that Shamaury Myrick is hereby appointed to perform the responsibilities as required for Map Review Officer for the City of Hickory as indicated in accordance with the appropriate General Statutes; and

**FURTHERMORE BE IT RESOLVED**, that John Kinley is hereby removed from the list of appointed Review Officers for the Town of Catawba and Shelley Stevens is appointed to perform the duties for the Town of Catawba.

With the above changes, the comprehensive list of Map Review Officers is as follows:

Catawba County: Jacky M. Eubanks, Mary K. George, Susan Ballbach, and Chris Timberlake  
City of Hickory: Brian Frazier, Cal Overby, John Furmage, David Leonetti and Shamaury Myrick  
City of Newton: Alex S. Fulbright, and Maxton D. Sigler  
City of Conover: Q. Lance Hight, and Cara C. (Chris) Reed

City of Claremont: Laurie Locicero  
Town of Long View: David Epley, and Charles T. Mullis  
Town of Maiden: Travis Ramsey  
Town of Catawba: Shelley Stevens  
Town of Brookford: Marshall Eckard

**AND BE IT FURTHER RESOLVED** that a copy of this Resolution designating the Review Officer be recorded in the Catawba County Register of Deed's Office and indexed in the names of the Review Officers.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Chair Barnes asked if any commissioner wanted an item broken out of the consent agenda for individual consideration and none were requested. Commissioner Lail made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports:

A. Library.

Library Director Suzanne White presented a report regarding the conveyance from the Town of Maiden of the Maiden Branch Library building. The Town of Maiden and Catawba County jointly funded construction of the current Maiden Branch Library/Maiden Town Council Chambers building in 1990, with each party being responsible for half of the total cost of design and construction. Maiden will soon occupy a new Town Hall and has offered to convey the current building which houses the Maiden Town Council Chambers and the Maiden Branch Library to the County so the County can expand much needed library services to the Maiden community. The current Maiden Branch Library has approximately 2,005 square feet and expanded space would result in an additional 795 square feet, for total of 2,800. Additional space will allow for a dedicated children's area, the addition of three public access computers, and increased utilization of the branch's wireless network. On several occasions, due to limited space, area students using the wireless network stand while waiting to be seated. County maintenance staff have examined the structure and integrity of the building, and determined that the building has been maintained and is in good condition. The County will take on the responsibility for maintenance of the entire building, HVAC and electrical costs, which are manageable within the Library's reinventing budget and the Maintenance Department's budget. To make the best use of the additional space, the building will require some renovations, such as removal of several interior walls to open the space for better flow of people and patron monitoring. Staff will gather detailed information on renovation costs for consideration in the County's 2014-15 budget. Commissioner Lsenhower made a motion to accept this report. The motion carried unanimously.

B. Planning, Parks and Development.

Director of Planning, Parks and Development Jacky Eubanks presented a request for the Board to adopt the following documents in connection with the 2012 Community Development Block Grant (CDBG) Scattered Site Housing Project: 1) a resolution adopting project policies, procedures and plans; 2) a Persons with Limited English Proficiency Policy and Plan; 3) a project budget ordinance; and 4) an agreement with the Western Piedmont Council of Governments (WPCOG) for grant administration. Catawba County is allocated funds every three years on a rotating basis for a Scattered Site Housing Grant from the North Carolina Department of Commerce. Catawba County received an allocation in 2003, 2006 and 2009. The WPCOG submitted a grant in September 2012 for the County requesting a fourth allocation of Scattered Site Housing Funds. In the past, these grants have been for \$400,000 but, due to budget cuts, the new grant is only for \$225,000. These funds will be used to rehabilitate up to four homes scattered throughout the county and provide five homes with emergency housing repairs. The County recently received a Grant Agreement and Funding Approval from the Department of Commerce. To administer these funds, the County is required to adopt the four documents

identified above. Commissioner Lail made a motion to adopt these documents. The following resolution and budget ordinance applies:

**ORDINANCE# \_\_\_\_\_**

**CATAWBA COUNTY'S PROJECT BUDGET ORDINANCE  
FOR THE 2012 CDBG SCATTERED SITE HOUSING PROGRAM  
(CATAWBA COUNTY SCATTERED SITE HOUSING GRANT)**

Be it ordained by the County Commissioners of Catawba County that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#12-C-2412) between this unit and the Department of Commerce. This project is more familiarly known as the 2012 Catawba County Scattered Site Housing Grant.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this C-1 project.

<u>Revenues</u>	
Community Development Block Grant	\$ 202,500

Section 4. The following amounts are appropriated for the C-1 project:

<u>Expenditures</u>	
Rehabilitation (CDBG)	\$ 180,000
Administration	\$ 22,500
	\$ 202,500

Section 5. The following revenues are anticipated to be available to complete the L-1 project:

<u>Revenues</u>	
Community Development Block Grant	\$ 22,500

Section 6. The following amounts are appropriated for the expenditure L-1 project:

<u>Expenditures</u>	
Rehabilitation (CDBG)	\$ 22,500

Section 7. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 8. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 9. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 10. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 11. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 3rd day of June, 2013.

RESOLUTION #

CATAWBA COUNTY  
POLICIES AND GUIDELINES FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Catawba County has been awarded a Community Development Block Grant Award for \$225,000; and

WHEREAS, Catawba County desires to adopt Community Development Program Policies and Guidelines; and

WHEREAS, the Community Development Office has created Community Development Program Policies and Guidelines;

NOW, THEREFORE, BE IT RESOLVED, Catawba County hereby adopts Community Development Program Policies and Guidelines as herein contained.

Adopted this the 3rd\_ day of June, 2013.

C. Utilities and Engineering

Utilities and Engineering Director Barry Edwards presented a request for the Board to approve interlocal agreement with the City of Newton for a water line project, in accordance with the County Code, Chapter 42, Revolving Loan Program, to serve Highway 16 South, Balls Creek Road and Buffalo Shoals Road. The Balls Creek Water Project is being developed at the request of the City of Newton to serve Highway 16 South, Balls Creek Road and Buffalo Shoals Road creating hydraulic loops within the City's water system with the purpose of improving water quality. The County will install, and the City will operate, the water line(s) described in three divisions. The estimated cost of the project including design, permitting, fees and installation would total \$2,641,905. The County will pay the full amount of all costs reasonably necessary for the design and installation of the water line(s), with payment being made directly from the County to the appropriate contractor.

The Newton City Council approved this agreement on May 21, 2013. Under the Revolving Loan Program, the City will reimburse the County for 75% of the total project cost, payable over a ten year period in equal annual installments, which will begin with the City's assumption of maintenance of the water line(s) in each portion of the project. The City's assumption of maintenance will begin upon the State issuing a final usage permit.

Balls Creek Division I will consist of approximately 10,500 linear feet of water line(s) beginning at an existing County/City of Newton water line at Balls Creek Campground, extending along the northern side of Buffalo Shoals Road in a southwesterly direction along Buffalo Shoals Road to

the intersection of Buffalo Shoals Road and Highway 16. The estimated cost of this division is \$646,000. Balls Creek Division II will consist of approximately 19,500 linear feet of water line(s) beginning at Buffalo Shoals Road and Highway 16 then north on Highway 16 to Balls Creek Road then east on Balls Creek Road to about Caldwell Road, to connect to an existing 12 inch City of Newton water line. The estimated cost of this division is \$1,230,000. Balls Creek Division III will consist of approximately 12,000 linear feet of water line(s) beginning at an existing City of Newton water line at the intersection of Coley Fish Pond Road and Highway 16 South, extending south along Highway 16 to the intersection of Balls Creek Road and Highway 16, connecting to Balls Creek Division II. The estimated cost of this division is \$770,000.

Funding for the project is included in the proposed Fiscal Year 2013/14 budget in the Water and Sewer Capital Improvement Plan. County Manager Lundy indicated that Newton had already taken action to approve this agreement. Commissioner Hunsucker made a motion to approve this agreement. The motion carried unanimously. The following agreement applies:

**STATE OF NORTH CAROLINA**

**COUNTY OF CATAWBA AGREEMENT BETWEEN CATAWBA COUNTY AND CITY OF NEWTON FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF WATER LINE(S) TO SERVE HIGHWAY 16 SOUTH, BALLS CREEK ROAD AND BUFFALO SHOALS ROAD**

**AGREEMENT**, effective the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between Catawba County, hereinafter (“County”) and the City of Newton, hereinafter (“City”).

**WHEREAS**, County and City have agreed that municipal water service is needed to serve Highway 16 South, Balls Creek Rd. and Buffalo Shoals Rd. creating hydraulic loops within the City’s water system with the purpose of improving water quality as further described herein, and

**WHEREAS**, to satisfy that need, County will install, and City will operate, a series of water line(s) described as Balls Creek Division I and Balls Creek Division II, and Balls Creek Division III, hereinafter (“Project”).

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements made, the parties agree as follows:

1. The parties agree that the design engineer’s estimated cost of the water line(s), including design, permitting, fees, and installation totals Two Million Six Hundred Forty-One Thousand Nine Hundred Five Dollars (\$2,641,905). County will pay the full amount of all costs reasonably necessary for the design and installation of the water line(s), with payment being made directly from County to the appropriate contractor. The parties agree that each will keep the other advised with regard to proposed change orders and action concerning any change orders and will consult with one another on a reasonable basis before approving any change orders. Costs associated with change orders will be included in the total construction cost for the Project.

City agrees to reimburse County seventy-five percent (75%) of total Project cost, payable over a ten (10) year period, in equal annual installments, beginning with City’s assumption of maintenance of the water line(s) in each portion of the Project. City’s assumption of maintenance shall begin upon the State issuing a final usage permit. Exhibit A, attached and incorporated herein by reference, is a map showing each of the contemplated waterline divisions referenced as Balls Creek Division I, Balls Creek Division II and Balls Creek Division III. The waterline divisions are further described as follows:

(a) Balls Creek Division I: consists of approximately 10,500 linear feet of 12” water line(s) beginning at an existing County/City of Newton water line at Balls Creek Campground, extending along the northern side of Buffalo Shoals Rd. in a South-westerly direction along Buffalo Shoals Rd. to the intersection of Buffalo Shoals Rd. and NC Highway 16 with stub out connections installed as agreed upon with the City of Newton. The estimated cost of this division is \$646,000.

(b) Balls Creek Division II: consists of approximately 19,500 linear feet of 12” water line(s) beginning at Buffalo Shoals Rd. and Hwy. 16 then North on Hwy. 16 to Balls Creek Rd. then East on Balls Creek Rd. to about Caldwell Rd. to connect to the existing 12” City of Newton water line with stub out connections installed as agreed upon with the City of Newton. The estimated cost of this Division is \$1,230,000.

(c) Balls Creek Division III: consists of approximately 12,000 linear feet of 12” water line(s) beginning at an existing City of Newton water line at the intersection of Coley Fish Pond Rd. and Hwy. 16 South, extending South along Hwy. 16 to the intersection of Balls Creek Rd. and Hwy. 16, connecting to Balls Creek Division II. The estimated cost of this Division is \$770,000.

2. County has the right, at its option, to construct and install future line additions, extensions or connections from City water line(s) installed and operated as part of the Project, provided any addition, extension or connection will serve County customers and not customers inside City’s corporate limits and adequate capacity is available. If some portion of an addition, extension or connection is within the City’s corporate limits, City has the right to add to, connect to or extend the line to its citizens with no participation from County.

3. If City proposes to County to make an addition, extension or connection to Project lines, County shall within ninety (90) days notify City of its intention to participate in the addition, extension or connection. If County opts to participate in the addition, extension or connection, the operation and maintenance of the line will be governed by this Agreement.

4. If County opts not to participate in any addition, extension or connection, City retains the right to proceed without any participation from County.

5. City will operate and maintain Project lines and connections as required by the Catawba County Code, Chapter 42, and Entitled “WATER AND SEWER”. The connection fee for tap stub outs installed with the initial construction of the Project shall be those in effect for the City at that time. Connection fees for connections made after initial construction of the Project shall be those in effect for the City at the time the connection is applied for.

6. The County capital fee for connection tap stub outs installed with the initial construction of the Project shall be those in effect for the County at that time. County Capital fees for connections made after initial construction of the Project shall be those in effect for the County at the time the connection is applied for.

7. County shall design and develop the Project, and shall secure necessary right-of-ways, easements, permits and permissions from the property owners in the name of the City, the Public Water Supply Section of NCDENR and NCDOT for construction of the Project. Further, County shall assume responsibility for the completion of the Project. The Application for Approval of Engineering Plans and Specifications for Water Supply Systems, to be submitted to the Public Water Supply Section of NCDENR, shall be in the name of City. Any NCDOT encroachments required to complete the Project shall be in the name of the City.

8. All specifications for materials and installation of all lines and systems in the Project shall be in accordance with City’s standard specifications for water line installations. All designs, developments, plans, engineering and construction shall be subject to review and consent by both parties. The parties will not suggest or make unreasonable changes in the designs, developments, and plans for the Project.

9. The parties agree that Balls Creek Division I, Balls Creek Division II and Balls Creek Division III will be designed as one project for State permitting and will be bid simultaneously with Balls Creek Division II and Balls Creek Division III being an alternate bid item for segregating and setting aside for an agreed upon later rebid date.

10. County agrees that all customers of this Project shall be subject to policies, practices, ordinances and directives of the City in operation of the water lines. This includes but is not limited to: Water Conservation Ordinances, Rate Reviews, Irrigation Meter Policy, Backflow Prevention Policy, etc.

11. Upon the State issuing Final Approval, City will maintain, replace and repair all water lines and appurtenances which are part of the Project as a part of the overall City water system. City shall respond with

reasonable promptness and efficiency to any and all complaints with respect to the water lines and will provide necessary services related to such complaints.

12. Ownership of the lines, along with related easements, shall be in the name of the County until such time as City has made all required payments, required pursuant to this Agreement, at which time County shall transfer ownership to City.

13. Any work contemplated under this Agreement is subject to the approval of funds by both the Catawba County Board of Commissioners and the Newton City Council.

14. Upon the State issuing Final Approval of Balls Creek Division I, the City agrees and grants permission to the County to either alone or with another entity enter into an agreement to finance a waterline extension from the intersection of West Bandys Cross Roads and Buffalo Shoals Roads southwest on Buffalo Shoals Road to NC Highway 16 to connect the County's Bandy's and Anderson Mountain Water Tanks together in a looped system that will improve water quality and quantity for the County's SECC system. This waterline extension will only serve as a hydraulic connection between County's Bandy's and Anderson Mountain Water Tanks with no service line connections or fire hydrants on the Buffalo Shoals Road Portion described above. This paragraph is intended to adhere to a previous agreement between City and County entitled "AGREEMENT BETWEEN CATAWBA COUNTY AND CITY OF NEWTON WATER SERVICE TO SOUTHEASTERN CATAWBA COUNTY" dated May 15, 2001.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands on the day and year above first written.

11. Other Items of Business:

A. Adoption of the Catawba County Annual Budget for Fiscal year 2013-14.

Chair Barnes asked Mr. Lundy to present this budget. Mr. Lundy stated the Fiscal Year 2013-2014 County Budget was in the amount of \$226,271,804, in accordance with the Board's goals, which called for maintaining the property tax rate at 53 cents per \$100 of property valuation and focusing on providing citizens with high quality service, while making strategic investments in the high priority areas of education, public safety, economic development and quality of life. The following budget ordinance applies:

**BUDGET ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of Catawba County:

**SECTION I**

**Budget Adoption, 2013/14**

The following budget with anticipated fund revenues of \$226,271,804 and departmental expenditures of \$226,271,804 (see Revenue and Expenditure Summary in the Summary Section of the budget document for breakdown) is hereby adopted in accordance with G.S. 159 by the County of Catawba for the fiscal year beginning July 1<sup>st</sup>, 2013, and ending June 30<sup>th</sup>, 2014, and the same is adopted by fund and department.

The following procedures, controls, and authorities shall apply to transfers and adjustments within the budget except for the budgets of the Reinventing Departments as shown in Section II.

A. **Transfers Between Departments and Funds:** Transfers of appropriations between departments in a fund, between funds, and from contingency shall be approved by the Board of Commissioners or may be approved by the County Manager in conformance with all of the following guidelines:

1. The County Manager finds that they are consistent with operational needs and any Board approved goals.
2. Transfers between departments and funds do not exceed \$50,000 each.
3. Transfers from Contingency appropriations do not exceed \$50,000 each unless the County Manager finds an emergency exists.
4. All transfers between departments and funds are reported to the Board of Commissioners by its next regular meeting following the date of the transfer (with the exception of performance awards and reclassification/pay inequity funds, which the County Manager has the authority to transfer).

B. **Transfers within Departments and Activities:** Department Heads may transfer line item appropriations between and within activities within the departments under their jurisdiction with the approval of the Budget Manager.

C. **Transfers of Appropriations from Contingency or Departments for Real Estate Transactions:** Transfers of appropriations from Contingency or departments may be made by the County Manager in order to secure options, pay deposits, or pay other necessary expenses related to real estate transactions approved by the Board of Commissioners.

D. **Transfers of Capital Projects Appropriations:** Transfers of appropriations up to \$50,000 between projects within a capital project fund may be approved by the County Manager. All transfers between projects are reported to the Board of Commissioners by its next regular meeting following the date of the transfer.

E. **Transfers of Appropriations from Special Departmental Expense and Revenue Contingencies:** Transfers of appropriations may be made by the Budget Manager from special departmental expense and revenue contingency accounts that have been set aside to accommodate mid-year adjustments for allocations from outside agencies. The budget for such special departmental contingency expenditures will not be used until revenues are received and the related funds are transferred out of the contingency accounts to an appropriate line item.

## **SECTION II**

### **Amendment to Procedures, Controls, and Authorities for Reinventing Departments**

The following procedures, controls, and authorities shall apply to transfers, personnel, and adjustments within the budget for the Reinventing Departments, as determined by the County Manager:

- A. As part of this process, the County's fund balance has been maintained by taking into account the average amount of unexpended funds turned back at the end of each year and making a onetime reduction in each Reinventing Department's allotment by that amount.
- B. The Board of Commissioners will appropriate funds for the Reinventing Departments based on approved outcomes to be achieved during the fiscal year.
- C. Department Heads are hereby authorized to transfer appropriations between activities or from special department contingencies under their jurisdiction with the approval of the Budget Manager. Requests for transfers from the General Fund contingency must be approved by the County Manager. The budget for such special departmental contingency expenditures will not be used until revenues are received and the related funds are transferred out of the contingency accounts to an appropriate line item. Department Heads within the Reinventing Departments are hereby authorized to reallocate existing positions between activities under their jurisdiction.
- E. Departments will be allowed to retain all unexpended allocations and/or revenues as defined by the County Manager.
- F. Reinventing Departments may create or abolish positions which impact the outcomes approved by the Board of Commissioners and within available revenues upon summary approval of the Board of Commissioners. Approval will come at the next regularly scheduled Board of Commissioners' meeting and will be attached and approved as part of the minutes.

**SECTION III**  
**Tax Levy Rate**

A tax rate of \$0.53 per \$100 of assessed valuation is hereby levied for Fiscal Year 2013/14, all of which is levied in the General Fund. No discounts will be allowed for early payment of taxes.

The following rates are established for fire tax districts:

<u>Fire Tax Districts</u>	<u>Tax Rate Per \$100 Valuation</u>
Bandys	\$0.0000
Catawba	\$0.0000
Claremont	\$0.0000
Conover Rural	\$0.0000
Cooksville	\$0.0000
Hickory Rural	\$0.0000

Longview	\$0.0000	
Maiden	\$0.0000	
Mountain View	\$0.0000	
Newton	\$0.0000	
Oxford	\$0.0000	
Propst	\$0.0000	
Sherrills Ford - Terrell		\$0.0000
St. Stephens	\$0.0000	

The following rates are levied for fire protection service districts:

<u>Fire Protection Service District</u>	<u>Tax Rate Per \$100 Valuation</u>
Bandys Fire	\$0.0700
Catawba Rural Fire	\$0.0700
Claremont Rural Fire	\$0.0700
Conover Rural Fire	\$0.0700
Cooksville Fire	\$0.0617
Hickory Rural Fire	\$0.0700
Longview Rural Fire	\$0.0546
Maiden Rural Fire	\$0.0600
Mt View Fire	\$0.0600
Newton Rural Fire	\$0.0700
Oxford Fire	\$0.0558
Propst Fire	\$0.0615
Sherrills Ford Fire	\$0.0700
St. Stephens Fire	\$0.0700

**SECTION IV**  
**Hospital Fund**

The Catawba Valley Medical Center Board of Trustees is hereby required to submit a monthly copy of its financial statements to the County Finance Director that will include a budget to actual comparison of all expenses and revenues.

The Hospital maintains a balance of not less than \$4 million with the County, in the Hospital Capital Reserve Fund, to finance and construct major Hospital capital projects. This Fund is intended to be used primarily to finance and construct major Hospital capital projects. However, in an emergency situation, with written request of the Hospital, the County may, in its discretion, permit amounts on deposit in the Fund to be extended for any lawful purpose including payment of operating expenses of the Hospital. As long as a \$4 million balance in the Fund is maintained, monthly depreciation payments from the Hospital are not required. Monthly payments of \$50,000 will be required any time such \$4 million balance is not maintained.

Catawba Valley Medical Center is public non-profit hospital and an entity or component unit of Catawba County Government. The County owns the assets but the Hospital is not a line department of the County and therefore is not included in the County budget. The Hospital is authorized to operate as an enterprise fund.

## **SECTION V**

### **Schools' Current Expense**

The allocation of general revenues for the schools' current expense is \$1,461 per pupil based on the average daily membership of K-12. This amount includes \$52 per pupil to operate the following inter-school system programs--Catawba County Bus Garage, Catawba Valley High School, Conover School for Exceptional Children, the Newton-Conover ACT Program, and the Community Schools Program.

It is recommended that the three county school systems appropriate from their estimated fund balance an amount not to exceed 5 percent of the current expense fund for the purpose of establishing a contingency account.

In accordance with the School Budget and Fiscal Control Act, each Board of Education is required to submit to the Board of Commissioners, as soon as adopted, a copy of the School Board's budget resolution. The school finance officer will submit a quarterly statement of the financial condition of the Administrative unit to the Board of Commissioners.

## **SECTION VI**

### **Capital Projects and Grants**

Project Managers will be designated on a project-by-project basis for all County construction projects and the procedures set forth in "Architectural Procedures – Catawba County", adopted by the Board of Commissioners shall be used to coordinate the efforts of all parties involved in a project. Any changes in the estimate, as a result of bids or otherwise, shall be reported by the Project Managers and carry his or her recommendation of approval to the Board of Commissioners prior to the advertising of bids. When compiled and approved by user agencies, all projects must conform to the Catawba County Design and Construction Specifications.

In accordance with the School Budget and Fiscal Control Act each school system will submit to the County Budget Manager detailed project sheets for each capital project included in this budget on sheets as specified in the "Uniform Budget" format, by January 1, 2014.

The General Capital Projects Fund, the Hospital Construction Fund, the Water and Sewer Fund, the School Capital Outlay Fund, the School Bond Capital Projects Fund, the Schools'

Construction Fund, the Fire Districts Funds, and the CDBG Scattered Site Housing Fund are hereby authorized. Appropriations made for the specific projects or grants in these funds are hereby appropriated until the project is completed.

Any grant or capital project budget previously adopted, the balance of any anticipated, but not received, revenues and any unexpended appropriations remaining on June 30<sup>th</sup>, 2013, shall be reauthorized in the 2013/14 budget unless a specific new budget has been prepared.

**SECTION VII**  
**Emergency Approvals, Schools**

Emergency transfers to and from the School Capital Outlay Fund shall be in accordance with the School Budget and Fiscal Control Act.

**SECTION VII**  
**Annual Financial Reports**

All agencies receiving County funding are required to submit an audit report by December 31<sup>st</sup>, 2013. Approved payments may be delayed pending receipt of this financial information.

**SECTION IX**  
**Fees and Licenses**

Charges for fees and licenses by Catawba County Departments or Agencies shall be in accordance with the fee policy. Fee changes to be adopted by the Board of Commissioners are set forth in the attached Schedule A.

**SECTION X**  
**Per Diem Pay**

The Board of Commissioners and members of County boards are authorized to receive per diem pay as follows:

- Alcoholic Beverage Control Board – Chair, \$75 per meeting; Members, \$50 per meeting
- Board of Adjustment – Chair, \$50 per meeting; Members, \$35 per meeting
- Board of Commissioners – Chair, \$950 per month; Members, \$750 per month; In-County Travel Allowance, \$250 per month
- Board of Elections – Chair, \$75 per meeting; Members, \$50 per meeting; \$100 for Election Day
- Equalization & Review Board – Chair, \$50 per meeting; Members, \$35 per meeting
- Hospital Board of Trustees - Chair, \$75 per meeting; Members, \$50 per meeting
- Library Board – Chair \$50 per meeting; Members, \$35 per meeting
- Mental Health Board – Chair, \$60 per meeting; Members, \$40 per meeting

Planning Board – Chair, \$50 per meeting; Members, \$35 per meeting  
Public Health Board – Chair, \$50 per meeting; Members, \$35 per meeting  
Social Services Board – Chair, \$50 per meeting; Members, \$35 per meeting  
Subdivision Review Board – Chair, \$50 per meeting; Members; \$35 per meeting  
Value Review Committee – Chair \$50 per meeting; Members \$35 per meeting

## **SECTION XI**

### **Personnel**

A. Salaries - Salaries for Fiscal Year 2013/14 are based on the Fiscal Year 2013/14 pay plan for Catawba County that is adopted as a part of this budget and is effective July 1<sup>st</sup>, 2013. Funds are included for a \$600 cost of living adjustment effective July 1, 2013 and a 2 percent performance pay increase for employees who satisfy performance expectations as reflected in employees' annual performance evaluations. Up to 50 percent of top performers will receive an additional 1.5 percent increase, also based on performance evaluations.

B. Performance Awards - Funds are allocated in the budget to provide one-time lump sum performance awards to recognize exceptional performance at the discretion of the County Manager.

C. Travel Allowance - The travel allowance rate will be according to the IRS reimbursement rate.

D. Special Payment - Positions that require specialized skills may be compensated by a special payment. This payment will only occur while the employee is serving in that capacity. This special payment is not considered a part of the annual base pay for classification. The amount of special payment is to be approved by the County Manager upon a recommendation by the Personnel Director.

## **SECTION XII**

### **Budget Policy for State and Federal Fund Decreases**

It will be the policy of this Board that it will not absorb any reduction in State and Federal funds; that any decrease shall be absorbed in the budget of the agency by reducing personnel or department expenditures to stay within the County appropriation as authorized.

This policy is extended to any agency that is funded by the County and receives State or Federal money. This shall remain in effect until otherwise changed or amended by the Board of Commissioners. The County Manager is hereby directed to indicate this to each of the agencies that may be involved.

## **SECTION XIII**

### **Reappraisal Fund**

In accordance with the provisions of G.S. 153A-150, an appropriation of \$390,541 will be made from the General Fund to the Reappraisal Fund for the purpose of providing funds for the next reappraisal.

**SECTION XIV**  
**Fiscal Control Act**

The Budget Manager and the Finance Director are hereby directed to make any changes in the budget of fiscal practices that are required by the Local Government and Fiscal Control Act. This shall extend to permitted consolidations of funds and "Single Tax Levies" permitted in the Fiscal Control Act.

A. As provided by G.S. 159-25 (b), the Board has authorized dual signatures for each check or draft that is made on County funds. The signatures of the County Manager, Finance Director, Assistant County Manager, and Assistant Finance Director shall be authorized signatures of the County.

B. Operating funds encumbered on the financial records of the County as of June 30<sup>th</sup>, 2013, are hereby re-appropriated to this budget.

C. The Board authorizes the appropriation of all Fund Balances earned by the Reinventing Departments as determined by the County Manager and as a result of the County's annual audit of June 30<sup>th</sup>, 2013.

D. The Board also authorizes (as is the practice) one principal account as depository for all funds received by the Finance Director from any source. Current accounting techniques shall be used to assure that all funds will be properly accounted for in the financial records of the County.

**SECTION XV**  
**Authorization to Contract**

The County Manager or his designee are hereby authorized to execute agreements, within funds included in the Budget Ordinance or other actions by the Board of Commissioners, for the following purposes: 1) Form grant agreements to public and non-profit organizations; 2) Leases of routine business equipment; 3) Consultant, professional, or maintenance service agreements; 4) Purchase of supplies, materials, or equipment where formal bids are not required by law; 5) Applications for and agreements for acceptance of grant funds from Federal, State, public, and non-profit organization sources, and other funds from other government units, for services to be rendered which have been previously approved by the Board; 6) Construction or repair projects; 7) Liability, health, life, disability, casualty, property, or other insurance or performance bonds other than similar items required by the Sheriff or Register of

Deeds; and 8) Other administrative contracts which include agreements adopted in accordance with the directives of the Board of Commissioners.

**SECTION XVI**

**Authorization to Award and Reject Bids**

Pursuant to General Statute 143-129, the County Manager is hereby authorized to award formal bids received in amounts less than \$250,000 within the following guidelines: 1) bid is awarded to the lowest responsible bidder; 2) sufficient funding is available within the departmental budget; and 3) purchase is consistent with the goals and/or outcomes of the department. The County Manager shall further be authorized to reject any and/or all bids received if it is in the best interest of Catawba County. A report shall be made to the Catawba County Board of Commissioners of all bids awarded or rejected under this section and entered in the minutes of its formal sessions.

This ordinance is adopted this 3<sup>rd</sup> day of June 2013.

*Katherine W. Barnes*

B. Budget Transfers: Pursuant to Board authority granted to the County Manager, the following budget transfer has been completed:

**Contingency**

110-190100-994000	Contingency	\$18,115.80
110-190900-995202	General Fund Transfer To 911 Fund	\$18,115.80
202-280100-695110	From General Fun	\$18,115.80
202-280100-690100	Fund Balance Appropriated	(\$18,115.80)

6/4/13 – Transfer from contingency to repay the 911 Fund for expenses determined to be ineligible in the annual NC 911 Board audit which took place after the Fiscal Year 2011/12 Catawba County audit was complete.

12. Attorney's Report: None.

13. Manager's Report:

County Manager J. Thomas Lundy recommended the Board consider moving into Closed Session pursuant to North Carolina General Statutes 143-318.11(a)(3) and 143-318.11(a)(4) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. He did not anticipate any action to be taken upon return to open session. Commissioner Isenhower made a motion to move into to closed session pursuant to the above referenced statute. The motion carried unanimously.

14. Adjournment. The Board returned to open session at 11:03 a.m. No action was taken. Commissioner Isenhower made a motion to adjourn. The meeting adjourned at 11:03 a.m. with a unanimous vote.

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Katherine W. Barnes, Chair  
Catawba County Board of Commissioners

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Barbara E. Morris  
County Clerk