

Minutes
 Catawba County Board of Commissioners
 Regular Session, Monday, August 6, 2007, 9:30 a.m.

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The Catawba County Board of Commissioners met in regular session on Monday, August 6, 2007 at 9:30 a.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes and Commissioners Dan Hunsucker, Glenn E. Barger and Lynn M. Lail.

Vice-Chair Barbara G. Beatty was absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Commissioner Glenn E. Barger led the Pledge of Allegiance to the Flag.
3. Chair Barnes offered the invocation. She then made note for the record that Commissioner Barbara G. Beatty was unable to attend this meeting.
4. Commissioner Barber made a motion to approve the minutes of the Regular Meeting of July 9, 2007. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed everyone present.
6. Comments for Items not on the Agenda. None.
7. Public Hearings:
 - a. Barry Edwards, P.E., Director of Utilities and Engineering, presented a request for the Board to hold a public hearing to receive citizen input in the development of Community Development Block Grant (CDBG) applications for the coming year and to endorse the application for a CDBG Infrastructure Hookup Program Grant.

The County received notification from the North Carolina Department of Commerce, Division of Community Assistance announcing a window opening to receive applications until August 31, 2007. North Carolina receives approximately \$50 million in CDBG funds each year. Local governments can apply for these funds for various activities that benefit low and moderate income persons with severe needs. Two public hearings must be held to receive public comment on any project and this is the first public hearing for the upcoming year.

Community Development Block Grant (CDBG) applications are to be submitted to the North Carolina Department of Commerce. Funds from this program can be used for many different activities including: installation of infrastructure for businesses that will create jobs for low and moderate income persons, neighborhood revitalization, and housing development and rehabilitation. The County must hold an initial public hearing to receive citizen input in the development of the application. The application must be submitted to the North Carolina Department of Commerce on a first come first serve basis.

Chair Barnes announced that it was the time and place advertised for the public hearing and asked if anyone wished to speak. No one came forward to speak for or against these applications and Chair Barnes closed the public hearing. Mr. Edwards clarified that this was the first of two required public hearings and the second one would be held after the County had met the necessary application criteria and that application was accepted. Commissioner Dan Hunsucker made a motion to approve the application for a CDBG Infrastructure Hookup Program Grant.

- b. Jacky Eubanks, Director of Planning, presented a request for the Board to hold a public hearing to consider an amendment to transfer \$1,325 from the Clearance line item (280-420101-849119) to the Relocation line item (290-420101-849118) of the Scattered Site Housing Grant Program to cover the cost of a new house under construction.

Catawba County was awarded a \$400,000 Scattered Site Housing Grant Program in 2006 to rehabilitate eight (8) homes and construct one (1) new home located throughout the County. This amendment is necessary to finalize payments for the new house that is under construction. The lowest bid was \$79,675 and only \$80,000 was allotted for the relocation line item. A payment of \$1,650 was made from this line item to the homeowner for fixed moving expenses which is part of the relocation process. This resulted in a shortage of \$1,325 for this line item.

Chair Barnes noted this was the time and place advertised for the public hearing and asked anyone who wished to speak for or against this transfer to come forward. No one came forward to speak and Chair Barnes closed the public hearing. Commissioner Lail made a motion to approve the requested transfer. The motion carried unanimously. The following ordinance applied:

AMENDMENT#2
ORDINANCE# _____

CATAWBA COUNTY'S PROJECT BUDGET ORDINANCE
FOR THE 2006 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.

The following revenues are anticipated to be available to complete the C-1 project:

<u>Revenues</u>		
Community Development Block Grant	\$	360,000.00
Program Income		<u>\$ 11,478.67</u>
	\$	371,478.67

The following expenditure amounts are appropriated for the C-1 project:

<u>Expenditures</u>		
Rehabilitation (CDBG/Program Income)	\$	241,978.67
Relocation(CDBG)	\$	81,325.00
Clearance (CDBG)	\$	4,675.00
Planning (CDBG)	\$	3,500.00
Administration (CDBG)		<u>\$ 40,000.00</u>
	\$	371,478.67

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

<u>Revenues</u>		
Community Development Block Grant	\$	40,000

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

<u>Expenditures</u>		
Rehabilitation (CDBG)	\$	40,000

Adopted this the 6th day of August, 2007.

8. Presentation:

Libb Fetting of KFH Group presented a request for the Board to adopt a resolution regarding the creation of a Regional Transit Authority. Ms. Fetting advised the Board that John Tippet from the Western Piedmont Council of Governments was unable to attend the meeting because he was doing the same presentation in Caldwell County. The resolution was being brought before seven local governments in a week's time. Ms. Fetting summarized that the Regional Transit Authority had been under consideration for over a year and based on the study completed, it was recommended that these local governments should proceed with the creation of the authority. The details of the proposed authority had been reviewed with the Board at its retreat in June. Ms. Fetting summarized that a regional transit authority would provide improve efficiencies and would be of value in scheduling, particularly on the human service side. It would also increase the ability to leverage State and Federal funds and there was a potential to reduce costs (mostly on the administrative side since one system would be support vs. four). The North Carolina Department of Transportation strongly recommended regionalization where it is feasible and this could be looked at as a pilot project for the state. The State has offered to fund the administrative transition funding at 100% and would also participate in the capital funding at the traditional rate. By creating the authority, this transportation system would be positioned for growth. At the time of this meeting, Alexander County had already approved its resolution. The authority would be comprised of a seven member board with a super majority required for action. Service terms will be staggered to ensure continuity. The expected savings for Catawba County is approximately \$12,000 but the goal is not the savings but improved service.

Bobby Boyd, Social Services Director, who had served on the committee for the creation of the authority along with County Manager J. Thomas Lundy, stated he had no reservations regarding the resolution. He stated that regionalization tended to make sense with the State wanting the creation of the authority, Hickory desiring to get out of the management of a transportation system and dollars available for incentives for such a creation as well as dollars lost if the County doesn't regionalize, it has the potential for improved productivity and future expansion. County Manager J. Thomas Lundy echoed Mr. Boyd's sentiments and stated he had no reservations and recommended the Board adopt the resolution. He added his thanks to Mr. Fetting and Fred at KFH Group for all their efforts and they had been very good to work with.

RESOLUTION #2007-

RESOLUTION CREATING

THE WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY

WHEREAS, the Counties of Alexander, Burke, Caldwell, and Catawba, and the Cities of Hickory, Newton, and Conover have determined that there is a need for providing community transportation in the four-county and three-city region;

WHEREAS, the Counties of Alexander, Burke, Caldwell, and Catawba, and the Cities of Hickory, Newton, and Conover are committed to the concept of providing community transportation in a coordinated, regional manner;

WHEREAS, the Counties of Alexander, Burke, Caldwell, and Catawba, and the Cities of Hickory, Newton, and Conover desire to form a regional public transportation authority to meet the need for community transportation in the four-county and three-city region, pursuant to the North Carolina General Statutes, Chapter 160A, Article 25;

NOW, THEREFORE, BE IT RESOLVED, that on this, the ___ day of ___, 2007, the Board of Commissioners of Catawba County does hereby resolve to create the Western Piedmont Regional Transit Authority, in accordance with N.C.G.S. 160A, Article 25, with the intent that the Authority assume responsibility for the management and provision of services currently provided by Alexander County Transportation, the Burke County Transit Administration, the Caldwell County Area Transit System, and the Piedmont Wagon Transit System on or about July 1, 2008.

Section 1: That there is hereby created a body corporate and politic; Western Piedmont Regional Transit Authority.

Section 2: The Authority shall consist of seven (7) members. Each of the counties of Alexander, Burke, Caldwell, and Catawba shall have (1) representative and each of the cities of Hickory, Newton, and Conover shall have one (1) representative. The seven representatives will be appointed by the governing bodies of each member jurisdiction, respectively. Each member jurisdiction will also have the option of either designating an alternate member or allowing its appointed representative to designate a proxy if the appointed representative is not available for a meeting. The members of the Authority shall reside within the territorial jurisdiction of the Authority. Any increase or decrease in the Authority membership shall require action by the county/city governing bodies. Members of the Authority shall elect a chairman, vice-chairman and secretary from the membership of the Authority. A super-majority of the members (5) shall constitute a quorum for the transaction of business and an affirmative vote of five members at a meeting of the Authority shall be required to constitute action of the Authority. A representative from the Western Piedmont Council of Governments shall be an ex-officio, non-voting member of the Authority Board.

Section 3: After the initial appointment of the members by the participating governing bodies, the board members shall serve three-year terms. The initial term shall be staggered, with two participating governments appointing one (1) member each for a one- year (1) term; two participating local governments appointing one (1) member each for a two-year (2) term; and three participating local governments appointing one (1) member each for a (3) three- year term.

Section 4: The members shall, for the purpose of doing business, constitute a Board of Directors which may adopt suitable Bylaws for its management. The members of the Board shall receive no compensation per diem or otherwise but shall be allowed and paid their actual traveling expenses incurred in transaction of the business of the Authority.

Section 5: The Authority shall constitute a body, both corporate and politic, and shall have the following powers and authority:

- (1) To sue and be sued;
- (2) To have a seal;
- (3) To make rules and regulations, not inconsistent with this Chapter, for its organization and internal management;
- (4) To employ persons deemed necessary to carry out the management functions and duties assigned to them by the authority and to fix their compensation, within the limit of available funds;
- (5) With the approval of the appropriate local government's chief administrative official, to use officers, employees, agents and facilities of the local government for such purposes and upon such terms as may be mutually agreeable;
- (6) To retain and employ counsel, auditors, engineers and private consultants on an annual salary, contract basis, or otherwise for rendering professional or technical services and advice;
- (7) To acquire, maintain and operate such lands, buildings, structures, facilities, and equipment as may be necessary or convenient for the operations of the authority and for the operation of a public transportation system;
- (8) To make or enter into contracts, agreements, deeds, leases, conveyances or other instruments, including contracts and agreements with the United States and the State of North Carolina;
- (9) To dispose of property no longer required by the authority in a manner consistent with state and federal regulations.
- (10) To make plans, surveys and studies of public transportation facilities within the territorial jurisdiction of the authority and to prepare and make recommendations in regard thereto;
- (11) To enter into and perform contracts with public transportation companies with respect to the operation of public passenger transportation;
- (12) To issue certificates of public convenience and necessity; and to grant franchises and enter into franchise agreements and in all respects to regulate the operation of buses, taxicabs and other methods of public passenger transportation which originate and terminate within the territorial

jurisdiction of the authority as fully as the counties and cities are now or hereafter empowered to do within the territorial jurisdiction of the counties and cities;

(13) To operate public transportation systems and to enter into and perform contracts to operate public transportation services and facilities and to own or lease property, facilities and equipment necessary or convenient therefore, and to rent, lease or otherwise sell the right to do so to any person, public or private; further, to the extent authorized by resolution or ordinance of the counties and cities to obtain grants, loans and assistance from the United States, the State, any public body, or any private source whatsoever;

(14) To enter into and perform contracts and agreements with other public transportation authorities pursuant to the provisions of G.S. 160A-460 through 160A-464 of Part 1 of Article 20 of Chapter 160A of the General Statutes; in addition, to enter into and perform contracts with other units of local government when specifically authorized by the governing body, pursuant to the provisions of G.S. 160A-460 through 160A-464 of Part 1 of Article 20 of Chapter 160A of the General Statutes;

(15) To do all things necessary or convenient to carry out its purpose and to exercise the powers granted to the authority.

Section 6: The purpose of the authority shall be to provide for a safe, adequate and convenient public transportation system for the counties and cities creating the authority and for its immediate environs, through the granting of franchises, ownership and leasing of terminals, buses and other transportation facilities and equipment, and otherwise through the exercise of the powers and duties conferred upon it.

Section 7: The Authority shall exercise jurisdiction over the areas as permitted under G.S. 160A-581. The authority shall not have jurisdiction over public transportation subject to the jurisdiction of and regulated by the Federal Motor Carrier Safety Administration, nor shall it have jurisdiction over intrastate public transportation classified as common carriers of passengers by the North Carolina Utilities Commission. A public transportation authority shall not extend service into a political subdivision without the consent of the governing body of that political subdivision. A majority vote of the governing body shall constitute consent.

Section 8: The authority shall be fiscally accountable to the counties and cities, and the governing bodies of the counties and cities shall have authority to examine all records and accounts of the authority at any time.

Section 9: The establishment and operation of a transportation authority as herein authorized are governmental functions and constitute a public purpose, and the counties and cities are hereby authorized to appropriate funds to support the establishment and operation of the transit authority in accordance with G.S. 160A-583. The appointment of funds not otherwise restricted shall be made by the Transportation Authority.

Section 10: Each County and City Authority member shall pass through to the Authority State and Federal funds that are specifically designated for the purpose of providing community transportation, including all of the funds from the grant programs that are administered through the North Carolina Department of Transportation, Public Transportation Division and the Federal Transit Administration.

Section 11: Each respective governing body shall have the authority to terminate the existence of its representation and participation in said Authority upon at least one year written notice, to become effective July 1 of the next fiscal year.

Section 12: The Authority shall make annual reports to each respective governing body, setting forth in detail the operations and transactions conducted by it. The said Authority shall be regarded as a corporate instrumentality and agent for the governing bodies of the Authority for the purpose of developing transportation facilities within its designated jurisdictional area. It shall have no power to pledge the credit of a participating governing body or any subdivision thereof or to impose any obligation upon represented governing bodies or any subdivision thereof except and when such powers are expressly granted by statute or by the consent of the governing bodies.

Section 13: Members of the Authority shall not be personally liable in any manner for their acts as members of the Authority, except for misfeasance or malfeasance.

Section 14: The powers herein granted to the Authority shall not be effective until such time as all members have been appointed by the respective governing bodies.

Section 15: If any part or parts of this Resolution shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Resolution.

Section 16: All Resolutions, Ordinances, and clauses of Resolutions and Ordinances of any county or city now participating in this Authority, or of any county, city, or town which may hereafter participate in this Authority, that are in conflict with the provisions of this Resolution are hereby repealed.

Section 17: This Resolution shall take effect upon and after fulfillment of the Statutory requirements, the appointment of the members of this Authority by the respective governing bodies in compliance with all applicable laws.

Date Chairman, Catawba County Board of Commissioners

Commissioner Barger made a motion to adopt the resolution. The motion carried unanimously.

Chair Barnes then indicated that she had had discussions with County Manager Lundy regarding representation on the board authority and since the issues would be purely administrative in the early stages of the authority, it would be appropriate that Mr. Lundy be named as the County's representative. Chair Barnes made a motion to appoint Mr. Lundy to the Regional Transit Authority Board. The motion carried unanimously. Mr. Lundy said he had talked with the managers of Hickory, Newton and Conover and their plans were to do the same thing for their representation.

9. Appointments:
Commissioner Lail recommended the appointment of Dennis Hurst, Community Bank Market President of Wachovia Bank for a first term to replace Debbie Wilkinson and Hickory City Manager Mick Berry for a first term to replace Tom Carr on the Region E Development Corporation Board. These terms will expire on 9/30/2010. Commissioner Lail also recommended the appointment of Dr. Tom McKean, Dr. Robert Yapundich and Commissioner Lail to the Mental Health Merger Committee. Chair Barnes recommended that she be appointed as the Catawba County voting representative for the Business Session of the upcoming North Carolina Association of County Commissioners annual meeting. These appointment recommendations came in the form of the motion. The motion carried unanimously.

10. Consent Agenda:
County Manager J. Thomas Lundy presented the following four items on the consent agenda:
a. A request to waive the permit fees for the 2007 Greater Hickory Classic that are applicable to the Catawba County Fee Schedule, Building Permit Fees. The event is scheduled to be held at the Rock Barn Golf and Spa in Conover, September 10-16, 2007. The Building Permit Fees have been waived for all previous Greater Hickory Classic events. The request to waive permit fees is applicable only to the Catawba County Fee Schedule, Building Permit Fees. Approval will not negate permit issuance and inspections in order to protect the safety, health and welfare of the citizens and visitors of Catawba County. The waived permit fees are estimated to be \$5,000.
b. A request to waive the solid waste tipping fees for two 40 cubic yard waste containers for the Lake Hickory Association participation in Litter Sweep Weeks in October. The Lake Hickory Association, as part of State and Catawba County's Litter Sweep Program, will sponsor their annual waterway cleanup event on Lake Hickory and Lake Lookout on October 6, 2007. If the two containers were full, the tipping fees would amount to \$420.00 (14 tons @ \$30.00 per ton). However, the last clean-up by this group resulted in tipping fees of only \$50.40.

c. A request the Board to authorize the purchase a .24 acre lot, located directly behind the library and across South Ashe Avenue from Hardee's Restaurant in Newton for \$35,000. The Catawba County Library has identified a need for additional parking at the Main Library in Newton. The increased need for parking is due to increased library programs and attendance as well as increased use of the library auditorium for community meetings and voting. The Library System Master Plan recommends expansion of the parking lot at rear of the Main Library by 30-40 spaces. Hardee's Restaurant has closed and there is an opportunity to purchase the parking area behind the Main Library in Newton. It would be advantageous for the County to own the entire block for future County needs. As property on the same block as the Main Library has become available for sale, the County has tried to purchase the property for future expansion. The County already owns three houses on this block which are utilized by Mental Health as homes for independent living. The .26 acre parcel adjacent to this lot was recently purchased to be utilized for parking. The lot is already paved for use as a parking lot and is in good condition. Staff has negotiated a sale price of \$35,000. The estimate for closing costs is \$1000.00, which covers document preparation, title exam, closing and recording. It does not include customary costs for the seller which generally include their own legal expenses as they relate to deed preparation and the revenue stamps as well as the prorate share of taxes from January 1 through the closing date.

d. A request for the Board to declare the real property located at 5206 Gross Road, Hickory as surplus and authorize the upset bid procedure for disposal. (Tax value \$5,000). Catawba County obtained the property located at 5206 Gross Road, Hickory, Parcel ID #269902868635, in April 2001 for \$740.12, which included \$406.63 in taxes. The offer to purchase in the amount of \$5,333.49 equates to the tax value plus the balance of the County's costs when it obtained the land in 2001 (\$740.12 minus the taxes owed). Catawba County does not have any use for this property and it has been advertised for sale for several years. The adjacent property owners will be contacted to give them an opportunity to make an upset bid.

Ms. Heather Reynolds has made an offer to purchase this property for \$5,333.49. North Carolina General Statute 160A-269 authorizes the sale of real property via the negotiated offer and upset bid process. The process begins by receiving an offer to purchase the property; the offer is reported to the Board. If the Board proposes to accept the offer, the upset bid procedure begins. The offeror is required to submit a bid deposit in the amount of 5 percent of the bid. Once the Board has acted and the offeror's deposit has been received, a notice is published in the local newspaper.

The statute requires that an upset bid be received within ten days from the date of the notice is published. To qualify as an upset bid, the bid must raise the original or current offer by an amount at least 10 percent of the first \$1,000 of that offer and 5 percent of the remainder. The minimum upset bid for this property would be \$5,650.17.

When a bid has been successfully raised, the new bid becomes the current offer, and the local government conducts another upset sale, on the same terms and under the same procedures as the first sale. The process continues until a ten-day period passes without receipt of a qualifying upset bid. The following resolution applies:

**Notice of Upset Bid - Real Property
Parcel ID #269902868635**

WHEREAS, the County of Catawba owns certain property; located at 5206 Gross Road, Hickory, N.C. being all property as shown Book 2275, Page 0165 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 \$5,333.49 submitted by Heather Reynolds; and

WHEREAS, Heather Reynolds has paid the required 5 percent (5%) deposit on her offer;

WHEREAS, the Catawba County Board of Commissioners accepts the offer of \$5,333.49 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 at any time all bids.
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 6th day of August, 2007.

Chair Barnes asked if any commissioner would like any item broken out of the consent agenda. None were requested. Commissioner Barger made a motion to approve these items. The motion carried unanimously.

11. Departmental Reports:

Planning: Jacky Eubanks, Planning Director, presented a request for the Board to review, reconsider and recommend to the North Carolina Department of Transportation (NCDOT) an abandonment of maintenance for the last .26 miles of Shuford Road (SR 1145) with adoption of the a resolution requesting the closing of a portion of Shuford Road.

Pursuant to G.S. 136-63 the Board of Commissioners may on its own motion or on petition of a group of citizens, request the Board of Transportation to change or abandon any road in the secondary system when the best interest of the people of the County will be served.

The NCDOT is requesting the re-review and recommendation from the Catawba County Board of Commissioners relating to the abandonment of maintenance for a portion of SR 1145 (Shuford Road) where it dead-ends into property owned by Mooseland LLC. This request came to the NCDOT from Mr. Wade Moose, registered agent for Mooseland LLC. The section of road requested to be closed serves as a private driveway which provides sole access to Mr. Moose's property. NCDOT requires that a cul-de-sac be constructed at the property owner's expense prior to NCDOT's action on the abandonment request.

The Shuford Road abandonment request was originally presented to the Board of Commissioners at its March 19, 2007 meeting. Concerns were raised by an adjoining property owner, Mr. George Lutz, about potentially landlocking property by action of the road closing; therefore, the Board voted to not recommend the abandonment of Shuford Road. Subsequent to the meeting, staff met on-site with the applicant, Mr. Moose, and Mr. Lutz to review the road closing. It was shown that the road closing would not landlock any property; therefore, the matter was resolved between the property owners. Mr. Moose is again asking for the Board's favorable recommendation to NCDOT for the road closing of the portion of Shuford Road which lies entirely on his property.

Commissioner Barger confirmed with Mr. Eubanks that the Board's action was only a recommendation to the DOT and the final decision was the Department of Transportation's to make. Commissioner Hunsucker made a motion to recommend the abandonment and adopt the resolution. The motion carried unanimously. The applicable resolution follows:

RESOLUTION #2007 -

REQUESTING THE CLOSING OF A PORTION OF SHUFORD ROAD (SR 1145)

WHEREAS, Wade Moose, registered agent for Mooseland LLC, petitioned the North Carolina Department of Transportation (NCDOT) to abandon a portion of secondary road "Shuford Road" (SR 1145) from the State maintenance system. The portion to be abandoned is specifically the last .26 miles of Shuford Road; and

WHEREAS, NCDOT has submitted to the Catawba County Board of Commissioners a request for a review and recommendation for the road abandonment; and

WHEREAS, staff has reviewed the request and has determined that no property owners would be deprived of ingress or regress;

THEREFORE BE IT RESOLVED THAT the Catawba County Board of Commissioners has reviewed this request and recommends to the North Carolina Board of Transportation for the abandonment of the last .26 miles of SR 1145 (Shuford Road).

Upon motion made by Commissioner _____, the above order was unanimously adopted by the Board of Commissioners of Catawba County on the ____ day of _____, 2007.

This the ____ day of _____, 2007.

- 12. Other Items of Business. None.

- 13. Attorneys' Report. County Attorney Debra Bechtel presented a request for the Board to approve a sewer easement between the County and the City of Hickory for the NC Department of Transportation road project which will provide a secondary entrance to Catawba Valley Medical Center. The Board previously approved two easements between the County and NCDOT on this project. Commissioner Barger

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made a motion to approve the easement and authorize Chair Barnes to sign the agreement. The motion carried unanimously.

14. Manager's Report. None.
15. Chair Barnes adjourned the meeting at 10:05 a.m.

Katherine W. Barnes
Board of Commissioners

Barbara E. Morris, County Clerk