

PRELIMINARY ASSESSMENT RESOLUTION

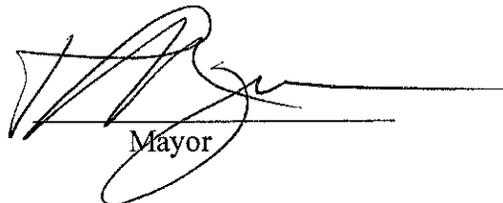
WHEREAS, on the 24th day of November, 1997, the property owners in the Brandywine Subdivision, being Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court, filed with the Town Clerk a petition for improving said streets in the following manner: Repair and reconstruction to bring streets to Town standards for acceptance into the Town street system at a cost not to exceed \$20,000; and

WHEREAS, the Town Clerk has certified to the Board of Commissioners that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of streets hereinabove described;

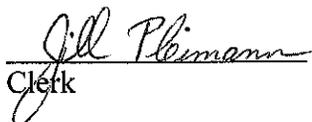
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina:

1. That the above mentioned petition is found to be sufficient in all respects;
2. That it is intended that Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court be improved in the following manner: repair and reconstruction to bring streets to Town standards for acceptance into the Town street system at a cost not to exceed \$20,000, under and by virtue of Chapter 160A, Article 10, of the General Statutes of North Carolina and the procedure therein established;
3. That 100 percent of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed upon the property receiving the improvements on an equal basis per benefitting lot with a total assessment not to exceed \$20,000;
4. That the assessments herein provided for shall be payable in cash or if any property owner shall so elect and give notice of that fact to the Board of Commissioners in accordance with Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in five (5) equal annual installments, said installments to bear interest at the rate of 8%.
5. That a public hearing on all matters covered by this resolution shall be held on the 9th day of February, 1998, at Town Hall in the Town of Matthews, North Carolina..

This the 12th day of January, 1998.

  
Mayor

ATTEST:

  
Clerk



# TOWN OF MATTHEWS

P.O. Box 398  
212 N. Trade Street  
Matthews, North Carolina 28106  
704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## A RESOLUTION AUTHORIZING REFUND OF ZONING FEE

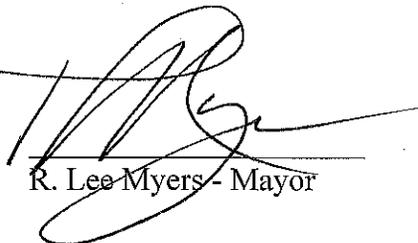
WHEREAS, on behalf of the Town of Matthews, Mr. David L. Kinney filed an application for rezoning of a parcel of land on Four Lakes Drive to allow the Town to lease the property for an EMS facility, and

WHEREAS, after deliberation the Town decided not to follow through with the rezoning and the proposed lease, and

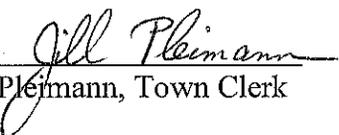
WHEREAS, Mr. Kinney has expended funds in filing for rezoning in the amount of \$400.00 and such filing was made in good faith that the Town would follow through with the proposed rezoning and lease,

BE IT THEREFORE RESOLVED that the Town refund to Mr. Kinney the amount of \$400.00, being the amount filed by Mr. Kinney on the Town's behalf and that the Finance Officer be directed to process this refund.

Approved this the 26th Day of January, 1998.



R. Lee Myers - Mayor



Jill Pleimann, Town Clerk

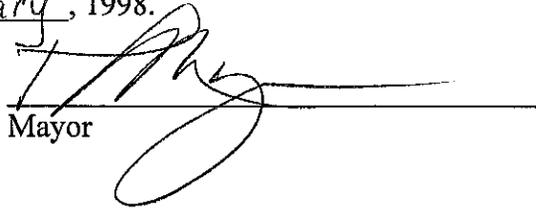


RESOLUTION ADDING STREETS TO THE TOWN'S STREET SYSTEM

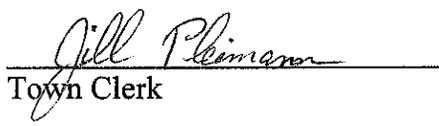
PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system the entire length of Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds the entire length of Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court to the Town's street system.

RESOLVED, this the 23rd day of February, 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



# TOWN OF MATTHEWS

P.O. Box 398  
212 N. Trade Street  
Matthews, North Carolina 28106  
704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallanos - Mayor Pro-Tem  
Paul F. Balley  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## RESOLUTION DIRECTING THAT THE PROJECT BE UNDERTAKEN

WHEREAS, on the 24th day of November, 1997, the property owners in the Brandywine Subdivision consisting of Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court filed with the Town Clerk a petition for improving said streets in the following manner: reconstruction of streets to a condition to allow for acceptance by the Town; and

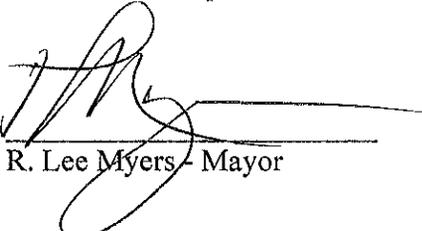
WHEREAS, the Town Clerk has certified to this Board that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of streets hereinabove described; and

WHEREAS, a preliminary assessment resolution has been adopted by this Board and after due notice to the public and to the owners of the affected property a public hearing thereon was duly held;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina:

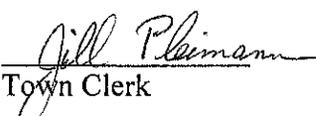
1. That Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court be improved in the following manner: reconstruction at a cost not to exceed \$20,000 to allow under and by virtue of Chapter 160A, Article 10, of the General Statutes of North Carolina and the procedure therein established, and that said improvement be done by the Public Works Department under force account.
2. That 100% of the total cost of said improvement, exclusive of so much of the total costs as is incurred in improving the street intersections, be hereafter assessed upon the property receiving the improvements according to the assessment basis set out in the petition as approved by the Board of Commissioners.
3. That the assessment herein provided for shall be payable in cash or if any property owner shall so elect he shall have the option and privilege of paying the assessment in five equal annual installments, said installments to bear interest at the rate of 8% per annum.

This the 23<sup>rd</sup> day of February, 1998



R. Lee Myers - Mayor

ATTEST:



Jill Plimann  
Town Clerk



RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MATTHEWS DECLARING ITS INTENT TO REIMBURSE ITSELF FROM THE PROCEDURES OF A TAX-EXEMPT FINANCING FOR CERTAIN EXPENDITURES TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND/OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, the Town of Matthews is a political subdivision organized and existing under the laws of the State of North Carolina, and

WHEREAS, the Town will make expenditures on and after the date hereof with respect to expenses incurred and to be incurred (the "Expenditures") in connection with the construction and renovation of the Matthews Community Center Building fully described in Exhibit A attached hereto, and

WHEREAS, the Board of Commissioners of the Town (the "Board") has determined that the funds advanced and to be advanced to pay Expenditures are or will be available for a temporary period and it is necessary to reimburse the Town for Expenditures made on and after the date hereof with respect to the Project from the proceeds of one or more sources of tax-exempt financing (the "Financing"), and

WHEREAS, As of the date hereof, there are no funds of the Town that are, or are reasonably expected to be, allocated on a long-term basis, reserved or otherwise available pursuant to the budgets of the Town to finance the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the intent of the Town to reimburse itself with a tax-exempt financing for Expenditures made on and after the date hereof with respect to the Project.

Section 2. All property that will become part of the Project will have an economic life of at least one year, determined as of the earlier of the date of issuance of the Debt or the date on which the Project is placed in service.

Section 3. The Town reasonably expects as of the date hereof that the Expenditures made with respect to the Project from funds of the Town will be made from the Town's Capital Reserve Fund, and the debt service will be derived from the revenues of the occupancy tax, supplemented by general revenues and rents.

Section 4. The adoption of this resolution is consistent with the budgetary and financial circumstances of the Town.

Section 5. This resolution shall take effect immediately upon its passage.

Section 6. Beginning 10 days after the adoption of this resolution and ending on the date on which the Financing is completed, this resolution will be reasonably and continuously available for

inspection by the general public, on each business day and during normal business hours, at the Town Hall, and will be maintained or otherwise supervised by the Town Clerk.

Passed and Adopted this 9th Day Of March, 1998.

  
\_\_\_\_\_  
R. Lee Myers - Mayor

  
\_\_\_\_\_  
Jill Pleimann, Town Clerk

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EXHIBIT A

Construction and Renovations to that facility known as the Matthews Community Center.

A RESOLUTION STATING THE INTENT OF THE  
TOWN OF MATTHEWS, NORTH CAROLINA, TO  
CONSIDER ANNEXATION OF THE AREAS DESCRIBED  
HEREIN AND FIXING THE DATE OF PUBLIC HEARING  
ON THE QUESTION OF ANNEXATION.

BE IT RESOLVED by the Board of Commissioners of the Town of Matthews:

Section 1. That it is the intent of the Board of Commissioners of the Town of Matthews to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

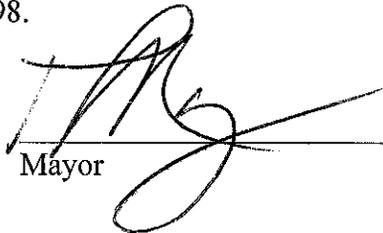
SEE SCHEDULE A ATTACHED HERETO AND INCORPORATED HEREIN.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Town Hall in Matthews, North Carolina, at 7:00 P.M. on the 11th day of May, 1998, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the Town of Matthews will be given an opportunity to be heard.

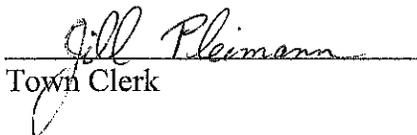
Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the Town Clerk at least thirty (30) days prior to the date of said public hearing.

Section 4. That notice of said public hearing shall be given by publication as required by law.

Adopted this the 9th day of March, 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

SCHEDULE A

Legal Description

Matthews Annexation - Area Number 1

103.234 Acres

Lying in Providence Township, Mecklenburg County North Carolina and being more particularly described as follows:

BEGINNING at an existing N.C.D.O.T. right of way monument on the southerly right of way of Pineville-Matthews Road (N.C. Hwy. #51), said point also being the northwesterly property corner of the Charlotte Board of Education property as recorded in book 7992, page 678. Thence with the aforesaid right of way and in an easterly direction the following three (3) calls: (1) South 89-10-06 East 401.99 feet to an existing N.C.D.O.T. right of way monument, (2) North 89-19-17 East 303.70 feet to a point, (3) with the arc of a circular curve to the left having a radius of 1959.86 feet an arc length 705.35 feet and a chord bearing and distance of North 76-08-41 East 701.55 feet to a new iron rebar on the westerly right of way of Sardis Plantation Lane. Thence with the lines of Sardis Plantation subdivision as recorded in map book 27, page 586 and map book 27, page 494 the following eighteen (18) calls: (1) South 25-22-18 East 68.38 feet to an existing iron rebar, (2) South 64-36-20 West 152.05 feet to a new iron rebar, (3) South 21-31-25 East 126.49 feet to an existing iron rebar, (4) South 31-43-56 West 26.05 feet to a new iron rebar, (5) South 45-56-45 East 155.45 feet to an existing iron rebar, (6) with the arc of a circular curve to the right having a radius of 169.00 feet an arc length of 20.72 feet and a chord bearing and distance of South 53-58-58 West 20.71 feet to a point, (7) South 51-45-58 East 18.25 feet to a point, (8) South 35-15-25 East 174.68 feet to a concrete monument, (9) South 25-22-10 East 922.19 feet to an existing iron pipe, (10) South 10-37-51 East 314.40 feet to a new iron rebar, (11) South 80-14-35 East 56.98 feet to an existing iron pipe, (12) South 30-22-10 East 113.33 feet to a concrete monument, (13) South 04-01-06 East 326.68 feet to an existing iron rebar, (14) South 16-33-39 West 151.40 feet to an existing iron rebar, (15) South 49-18-58 West 201.71 feet to an existing iron rebar, (16) South 67-35-55 West 164.72 feet to a concrete monument, (17) North 88-27-13 West 510.72 feet to an existing iron rebar, (18) South 04-54-17 East 134.58 feet to a new iron rebar on the northerly right of way of Laurel Fork Drive. Thence South 11-26-56 East 50.69 feet to a point, said point being the northwesterly property corner of Lot 2, Sardis Plantation Phase III as recorded in map book 21, page 999. Thence with the line of the aforesaid Lot 2 South 09-30-23 East 45.27 feet to a new iron rebar. Thence with the lines of common area of the aforesaid Sardis Plantation Phase III and Lot 1 of Sardis Plantation Phase IV- map 2 as recorded in map book 23, page 723 the following two (2) calls: (1) North 89-47-14 West 114.16 feet to an existing iron rebar, (2) North 89-47-14 West 646.36 feet to a point in the centerline of the right of way of Elizabeth Lane. Thence with the centerline of Elizabeth Lane the following two (2) calls: (1) with the arc of a circular curve to the left having a radius of 313.00 feet an arc length of 130.93 feet and a chord bearing and distance of North 36-06-02 West 129.97 feet to a point, (2) North 48-05-02 West 101.84 feet to a point. Thence South 86-24-29 West 42.06 feet to an existing iron rebar on the westerly right of way of Elizabeth Lane. Thence with the westerly right of way of Elizabeth Lane and in a northerly direction the following seven (7) calls: (1) North 48-05-02 West 250.78 feet to a point, (2) with the arc of a circular curve to the right having a radius of 3530.00 feet an arc length of 87.45 feet and a chord bearing and distance of North 47-22-27 West 87.44 feet to a point, (3) with the arc of a circular curve to the right having a radius of 305.00 feet an arc length of 220.76 feet and a chord bearing and distance of North 26-26-21 West 215.97 feet to a point, (4) North 01-54-05 West 773.94 feet to a point, (5) North 01-43-46 West 686.35 feet to a point, (6) North 01-42-30 West 403.04 feet to a point, (7) North 52-53-53 West 85.44 feet to a point on the aforementioned southerly right of way of Pineville-Matthews Road (N.C. Hwy. #51). Thence with said right of way and in an easterly direction South 89-10-06 East 180.06 feet to the POINT AND PLACE OF BEGINNING and containing 103.234 acres more or less, all as shown on an annexation survey prepared by Sam Malone and Associates and dated December 15, 1997.

## SCHEDULE A

### Legal Description Matthews Annexation - Area II 41.608 Acres

Lying in Morningstar Township, Mecklenburg County, North Carolina and being more particularly described as follows:

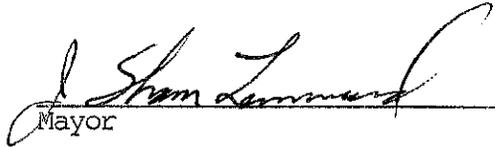
BEGINNING at an existing iron rebar, said point being the northwesterly property corner of tract F of Carotek Business Park as recorded in map book 26, page 114 in the Mecklenburg County Public Registry. Thence from said iron rebar and with the lines of tract F and tract G of the aforesaid Carotek Business Park, North 76-46-15 East crossing an existing iron rebar at 816.29 feet a total distance of 847.88 feet to a point in the centerline of Sam Newell Road. Thence with the centerline of Sam Newell Road the following four (4) calls: (1) South 11-56-46 East 21.02 feet to a point, (2) South 17-13-05 East 51.77 feet to a point, (3) South 21-15-05 East 53.48 feet to a point, (4) South 24-32-01 East 45.16 feet to a point. Thence leaving the aforesaid centerline and running with the boundaries of the S.C.A. North Carolina limited partnership property as recorded in book 8974, page 509 the following four (4) calls: (1) North 58-09-31 East crossing an existing iron rebar at 40.02 feet a total distance of 440.33 feet to a point, (2) North 51-12-49 East 1061.05 feet to a point, (3) South 31-52-44 East 606.40 feet to an existing iron pipe, (4) South 58-33-29 West 1511.51 feet to an existing railroad spike in the centerline of the aforesaid Sam Newell Road. Thence with said centerline and in a southerly direction the following seventeen (17) calls: (1) South 24-07-42 East 47.11 feet to a point, (2) South 20-26-33 East 47.98 feet to a point, (3) South 17-36-38 East 51.64 feet to a point, (4) South 13-47-57 East 51.30 feet to a point, (5) South 10-48-17 East 49.49 feet to a point, (6) South 08-47-35 East 51.67 feet to a point, (7) South 07-03-17 East 52.10 feet to a point, (8) South 05-45-58 East 51.09 feet to a point, (9) South 04-20-41 East 31.97 feet to a point, (10) South 04-40-59 East 16.17 feet to a point, (11) South 04-08-32 East 52.45 feet to a point, (12) South 03-48-03 East 50.93 feet to a point, (13) South 03-18-05 East 50.41 feet to a point, (14) South 02-55-19 East 50.54 feet to a point, (15) South 03-10-46 East 48.79 feet to a point, (16) South 02-33-56 East 29.39 feet to a point, (17) South 02-34-06 East 321.93 feet to a point. Thence leaving said centerline and running through the properties of David W. Hoyle, Jr. and wife Jane M. Hoyle as recorded in book 8873- page 486, book 4555- page 321 and tract A of the aforementioned Carotek Business Park, North 51-46-08 West 1009.97 feet to a new iron rebar, said point being the southeasterly property corner of Lot 4 as recorded in map book 26, page 189. Thence with the line of the aforesaid Lot 4, North 26-19-10 West 272.03 feet to a point on the southerly right of way of Crews Road. Thence North 26-19-10 West 61.57 feet to an existing iron rebar on the northerly right of way of Crews Road said point being the common southerly property corner of Lot 3 as recorded map book 26, page 189 and the aforementioned tract F. Thence with the common line of the aforesaid properties North 26-19-10 West 462.22 feet to the POINT AND PLACE OF BEGINNING and containing 41.608 acres more or less. All as shown on an annexation survey prepared by Sam Malone and Associates and dated December 15, 1997.

RESOLUTION AUTHORIZING THE TAX COLLECTOR  
FOR THE TOWN OF MATTHEWS TO MAKE ADJUSTMENTS  
OF UNDER PAYMENTS AND OVER PAYMENTS.

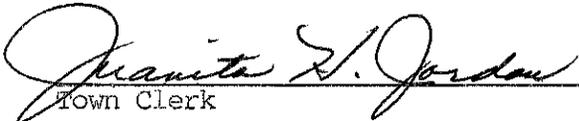
WHEREAS, N.C.G.S. Section 105-357 provides that the Town Council of the Town of Matthews may, by Resolution, permit its Tax Collector to treat small under payments of taxes as fully paid and to not refund small over payments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small over payment is made.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Commissioners of the Town of Matthews, North Carolina that the Tax Collector for the Town of Matthews beginning with the 1988 ad valorem taxes is hereby permitted to treat small under payments of taxes as fully paid and to not refund small over payments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small over payment is made; BE IT FURTHER RESOLVED that a small over payment is a payment made, other than in person, that is no more than \$1.00 less than the taxes due on the tax receipt, and a small over payment is a payment made, other than in person, that is no more than \$1.00 greater than the taxes due on a tax receipt, all as defined in Section 105-357 of the North Carolina General Statutes; BE IT FURTHER RESOLVED that this shall apply to the 1988 ad valorem taxes, and shall apply to taxes levied for all previous fiscal years; and that this Resolution shall continue in effect until repealed or amended by Resolution of the Town Board of the Town of Matthews hereafter.

RESOLVED, this the 11<sup>th</sup> day of April, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



# TOWN OF MATTHEWS

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R. LEE MYERS - Mayor

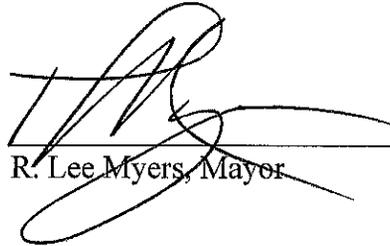
BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
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Martha W. Krauss  
W. Kress Query

## A Resolution Declaring a Police Badge and Weapon Surplus Property and Awarding Same to a Retiring Officer

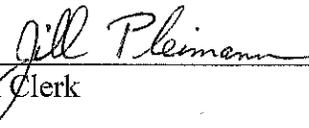
In Accordance with N.C. General Statute 20-187.2 the Board of Commissioners for the Town of Matthews, declares surplus and hereby awards to retiring Police Officer Kathy McGirt the following Items:

- 1) Police Officer Badge
2. Smith and Wesson 6906 Pistol, SN# TDE3150, Town ID# 622

Adopted the 13th Day of April, 1998



R. Lee Myers, Mayor



Town Clerk



# MEMO

**To:** Ralph Messera, Town Manager  
**From:** Chief Rob L. Hunter  
**Subject:** Officer Kathy McGirt's Retirement  
**Date:** March 30, 1998

As you are aware, Officer Kathy McGirt will be retiring at the end of this month. By the date of her anticipated retirement, April 30, 1998, Kathy will have been employed by the Town for twenty (20) years and one month. She has served the department in various modes, from Uniformed Patrol Officer to her current position as School Resource Officer for the three public elementary schools.

To honor and recognize Kathy for her service to our department and to the community, I would respectfully request the following:

1. Allow an opportunity for me to present Kathy with a item of appreciation ( a framed, glass enclosed plaque with her badge / department patch / name tag) and to say a few words of appreciation to her before the Board of Commissioner's meeting on Monday, April 27;
2. Allow me to present to her at that meeting her department-issued weapon and ID. In order to do so, the Board will have to dispose of the items (information on the weapon is listed below.)

As stated earlier, we will also be hosting a reception for Kathy at the Community Room of the Hampton Inn-Matthews that Friday evening. Invitations will be forwarded to you, members of the board, and all town employees within the next few days.

Should you have any questions or need any additional information to satisfy this request, please let me know.

|                                       |                         |                 |
|---------------------------------------|-------------------------|-----------------|
| Weapon to dispose / retire to McGirt: | Smith & Wesson 6906     | Town ID# 622    |
|                                       | Current value: \$185.00 | Serial# TDE3150 |

|                         |                                   |
|-------------------------|-----------------------------------|
| ID Card / Badge / Case: | Total replacement value: \$ 38.00 |
|-------------------------|-----------------------------------|

848; 1977, c. 70, s. 10.1

**§ 20-187.2. Badges and service side arms of deceased or retiring members of State, city and county law-enforcement agencies; weapons of active members.**

(a) Surviving spouses, or in the event such members die unsurvived by a spouse, surviving children of members of North Carolina State, city and county law-enforcement agencies killed in the line of duty or who are members of such agencies at the time of their deaths, and retiring members of such agencies shall receive upon request and at no cost to them, the badge worn or carried by such deceased or retiring members. The governing body of a law-enforcement agency may, in its discretion, also award to a retiring member or surviving relative as provided herein, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon securing a permit as required by G.S. 14-402 et seq. or 14-409.1 et seq., or without such permit provided the weapon shall have been rendered incapable of being fired. Governing body shall mean for county and local alcohol beverage control officers, the county or local board of alcoholic control; for all other law-enforcement officers with jurisdiction limited to a municipality or town, the city or town council; for all other law-enforcement officers with countywide jurisdiction, the board of county commissioners; for all State law-enforcement officers, the head of the department.

(b) Active members of North Carolina State law-enforcement agencies, upon change of type of weapons, may purchase the weapon worn or carried by such member at a price which shall be the average yield to the State from the sale of similar weapons during the preceding year. (1971, c. 669; 1973, c. 1424; 1975, c. 44; 1977, c. 548; 1979, c. 882; 1987, c. 122.)

**OPINIONS OF ATTORNEY GENERAL**

**Badge to Be Given to Officers Retiring on Disability.** — Subsection (a) of this section requires law enforcement agencies to give an officer retiring upon disability retirement, with less than 20 years creditable service or only with five years creditable service, the badge worn by the officer. See opinion of Attorney General to Mr. Robert F. Thomas, Jr., Police Attorney, City of Charlotte, 50 N.C.A.G. 77 (1981).

**§ 20-187.3. Quotas prohibited.**

(a) The Secretary of Crime Control and Public Safety shall not make or permit to be made any order, rule, or regulation requiring the issuance of any minimum number of traffic citations, or ticket quotas, by any member or members of the State Highway Patrol. Pay and promotions of members of the Highway Patrol shall be based on their overall job performance and not on the basis of the

**RESOLUTION TO ENDORSE LOCAL PORTION OF THE CAROLINAS  
URBAN COALITION REGIONAL FUTURE LAND USE MAP**

**WHEREAS**, the Town of Matthews is a member of the Carolinas Urban Coalition; and,

**WHEREAS**, the Carolinas Urban Coalition has worked with the Centralina Council of Governments in developing a composite future land use map designed to show generalized future land use patterns for both Coalition members, and other cities and counties for an area approximately twenty miles from the City of Charlotte; and,

**WHEREAS**, such information was provided by the Town of Matthews and its planning jurisdiction by its staff members, based on projected land use patterns for the affected area over the next 10-15 years;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of Commissioners for the Town of Matthews hereby endorses this future land use map for the Town's planning jurisdiction. Said endorsement shall in no way preclude said governing board from making any land use-related decisions in the future which may conflict with the information herein depicted. Said map shall not be deemed to be the official land use map of the Town of Matthews.

Adopted this 13<sup>th</sup> day of April, 1998.

  
\_\_\_\_\_  
R. Lee Myers, Mayor  
Town of Matthews

**RESOLUTION ADDING STREETS TO THE MATTHEWS STREET SYSTEM**

**BE IT RESOLVED**, by the Town of Matthews, North Carolina, at its regular session, held on *May 26, 1998*, that it hereby adds the following streets, to the Town's Street System.

**Southwoods Sub-division (Phase 2C)**

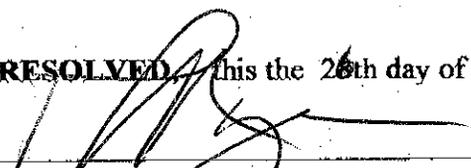
|                   |     |
|-------------------|-----|
| Sweetgum Lane     | .36 |
| Forest Wood Drive | .04 |
| Firewood Drive    | .31 |

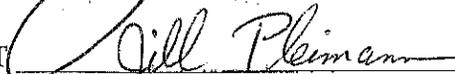
**Southwoods Sub-Division (Phase 3)**

|                     |     |
|---------------------|-----|
| Woodbend drive      | .31 |
| Pearwood Drive      | .05 |
| Pinewood Hill Drive | .16 |

**Total Miles**      1.23

**RESOLVED** this the ~~26~~<sup>27</sup>th day of May, 1998.

  
 \_\_\_\_\_  
 Mayor

**ATTEST**   
 \_\_\_\_\_  
 Town Clerk



# TOWN OF MATTHEWS

P.O. Box 398  
212 N. Trade Street  
Matthews, North Carolina 28106  
704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

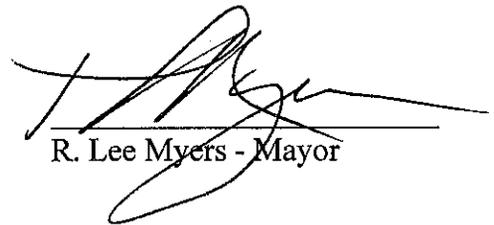
A RESOLUTION REQUESTING THE N.C. DEPARTMENT OF TRANSPORTATION TRANSFER CERTAIN STREETS FROM THE STATE HIGHWAY SYSTEM TO THE TOWN OF MATTHEWS SYSTEM.

**BE IT RESOLVED**, by the Board of Commissioners of the Town of Matthews that it hereby requests that the State of North Carolina delete the following streets from the State System and that these streets be added to the Town of Matthews' Street System:

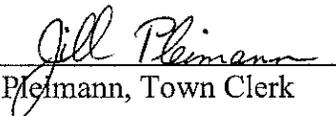
Covenant Church lane - NC 51 to John Street  
Rice Road - Idlewild to Sam Newell  
Moore Road - end of Town Maintenance to Marglyn  
Pleasant Hills Drive  
Four Lakes Drive  
North Trade Street - John to Matthews  
Matthews-Mint Hill Road - Trade Street to NC 51  
Laurel Forks Lane (to be effective July 31)

**BE IT FURTHER RESOLVED**, that with the exception of Laurel Forks Lane, such transfers are requested to be effective June 30, 1998.

Adopted this the 26th day of May, 1998.



R. Lee Myers - Mayor



Jill Pleimann, Town Clerk



RESOLUTION AUTHORIZING THE EXCHANGE OF PROPERTY BETWEEN THE  
TOWN OF MATTHEWS AND HABITAT FOR MATTHEWS, INC.

WHEREAS, the Town of Matthews is the owner, or has under Purchase Agreement, three (3) parcels of land totaling 8.487 acres and located at the end of Matthews School Road and adjacent to Tank Town Road; and

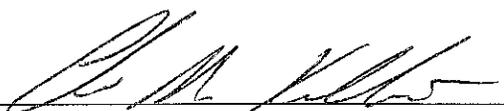
WHEREAS, Habitat for Matthews, Inc. is presently the owner or has under option 8.487 acres of property located at the end of Tank Town Road at I-485; and

WHEREAS, the parties mutually agree that it would be in the best interest of both parties to do an even exchange of property for the uses and purposes suitable to each.

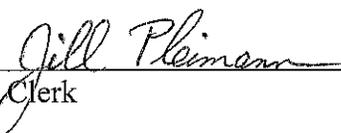
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, at its regular meeting held on Monday, June 22, 1998, that it hereby authorizes the exchange of 8.487 acres of Town property for a like 8.487 acre parcel of land owned by Habitat for Matthews, Inc. and located at or near the I-485 where Tank Town Road terminates (both tracts being shown on that certain plat prepared by Yarborough-Williams Associates dated May 20, 1998) said parcels of land having a purchase value of \$93,400, (plus or minus) each; said exchange by private negotiation is authorized pursuant to the provisions of Chapter 160A-271.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute a Quitclaim Deed to Habitat for Matthews, Inc. for that certain .210 acre parcel obtained from L.H. Yandel and from Mecklenburg County both by Quitclaim Deeds in addition to the said 8.487 acre exchange.

RESOLVED, this the 22<sup>nd</sup> day of June, 1998.

  
\_\_\_\_\_  
Mayor Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Town Clerk



# TOWN OF MATTHEWS

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R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
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Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## A RESOLUTION REGARDING UNEXPENDED FUNDS

WHEREAS, in past years it has been the policy of the Town to automatically transfer unexpended Occupancy Tax Funds and unexpended Storm Water Fees from the General Fund to the Capital Projects Fund, and

WHEREAS, once transferred to the Capital Projects Funds these funds are only available for appropriation for Capital Outlays rather than operations or capital needs, as the Board sees fit, if they were to remain in the General Fund; and

WHEREAS, it is the desire of the Board to maintain flexibility in the use of these funds between operations and capital, their being transferred to the Capital Projects Fund only upon intentional action of the Board;

BE IT THEREFORE RESOLVED that unexpended Occupancy Tax Funds and Storm Water Fees on hand on June 30, 1998 should remain in the General Fund and shall be reflected in the audit and books of the Town as reserved for Tourism purposes and reserved for Storm Water purposes.

BE IT FURTHER RESOLVED that this policy remain in effect in future years until such time as amended by the Board.

Adopted this 22nd Day of June, 1998.

  
R. Lee Myers - Mayor

  
Jill Pleimann - Town Clerk



## LOCAL GOVERNMENTAL RESOLUTION

(To be completed and attached  
to form GHSP-D-03, "Application  
For Highway Safety Project Contract")

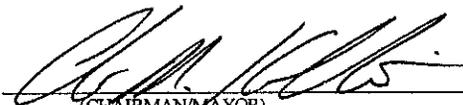
WHEREAS, the Town of Matthews herein called the "Applicant"  
(GOVERNING BODY OF UNIT OF GOVERNMENT)  
has thoroughly considered the problem, addressed in the application entitled Matthews Safe roads  
Program and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has  
authorized the Department of Transportation, through the North Carolina Governor's Highway Safety  
Program to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE (GOVERNING BODY OF UNIT OF  
GOVERNMENT) IN OPEN MEETING ASSEMBLED IN THE CITY OF MATTHEWS, NORTH  
CAROLINA. THIS 22 DAY of JUNE, 1998, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Applicant and the general public.
2. That Ralph Messera, Town Manager be authorized to file, in behalf of the  
(NAME AND TITLE OF REPRESENTATIVE)  
Applicant, an application in the form prescribed by the Governor's Highway Safety Program for  
federal funding in the amount of \$121,737.00 to be made to the Applicant to  
assist in  
(FEDERAL DOLLAR REQUEST)  
defraying the cost of the project described in the contract application.
3. That the Applicant has formally appropriated the cash contribution of \$35,912.00  
(LOCAL CASH APPROPRIATION)  
as required by the project.
4. That the Project Director designated in the application form shall furnish or make arrangement  
for other appropriate persons to furnish such information, data, documents and reports pertaining to  
the project, if approved, as may be required by the Governor's Highway Safety Program.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting.

by: 

(CHAIRMAN/MAYOR)

Commissioner/Councilman George Fossett offered the foregoing resolution and  
moved its adoption, which was seconded by Commissioner/Councilman Kress Query  
and was duly adopted.

Date: June 23, 1998

SEAL

ATTEST  
BY:

  
(CLERK)



# TOWN OF MATTHEWS

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704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karlna Glass  
Martha W. Krauss  
W. Kress Query

## RESOLUTION ADOPTING GUIDELINES FOR E-MAIL AND THE INTERNET ACCESS

WHEREAS, the Town of Matthews has acquired a computer system for the use and operation of the Town business by Town employees and Town officers; and

WHEREAS, the Town has provided the software capabilities to conduct Town business through e-mail and internet access; and

WHEREAS, the Town Board of Commissioners of the Town of Matthews is desirous to establish guidelines for the use of the Town computer system for e-mail and internet access by its officers, employees and authorized users.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews that the following guidelines are hereby adopted for e-mail and internet access on the Town computer system:

E-mail, Internet access and other electronic communications systems are provided only for the purpose of conducting Town business.

Users are expected to maintain the confidentiality of Town information when using the Town's computer system to transmit messages.

When utilizing the Town's computer system, users are expected to demonstrate the same high standards that apply to other forms of Town communication.

Because the security of electronic messages cannot be guaranteed, users should be aware that marking a message "confidential" or "private" in the computer system must be done with the expectation that others may have access to all messages. Thus, in certain cases, e-mail may not be the proper means of communication.

Users should check their e-mail frequently and delete unwanted messages promptly.

Users may subscribe only to high quality discussion group mail-lists that are relevant to their education or professional/career development.

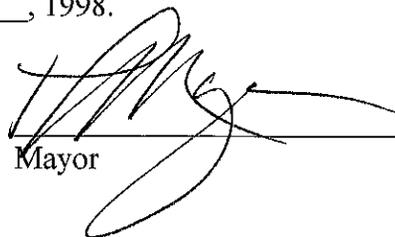
Users may use the network only for educational and professional or career development activities.



Users are responsible for the use of their individual account and recognize that access is a revocable privilege. Users should take all reasonable precautions to prevent others from being able to use their accounts. Under no conditions should a user provide his or her password to another person.

Electronic messages transmitted or received (whether current or deleted), information used or downloaded from the Town's computer systems, the Internet, or other sources, may be subject to review and investigation. The Town may override any applicable password if necessary. Supervisors are responsible for monitoring performance of employees using e-mail or Internet. E-mail correspondence may be disclosable under the Freedom Of Information Act (FOIA).

RESOLVED, this the 13<sup>th</sup> day of July, 1998.



Mayor

ATTEST:

Shirley B. Helms, Deputy  
Town Clerk

Robert P. ...  
Town Attorney



# TOWN OF MATTHEWS

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R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
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Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

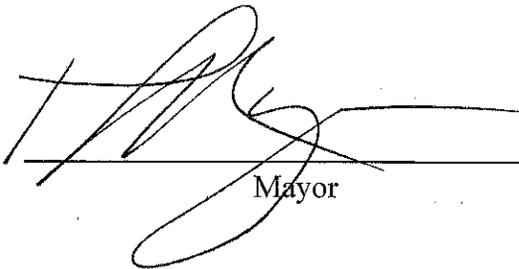
WHEREAS, a petition requesting annexation of an area described in said petition was received on July 13, 1998 by the Board of Commissioners.

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

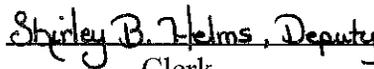
WHEREAS, the Board of Commissioners of the Town of Matthews deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of her investigation.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Shirley B. Helms, Deputy  
Clerk



RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

WHEREAS, the Town presently owns property contiguous to the Town limits; and

WHEREAS, in lieu of filing a petition the Town Board of Commissioners hereby adopts this Resolution stating its intent to annex the property.

Section 1. That a public hearing on the question of annexation of the area described herein shall be held at the Town Hall at 7:00 P.M. on the 24<sup>th</sup> day of August, 1998.

Section 2. The area proposed for annexation is described as follows:

BEGINNING at a point in the center line of Tank Town Road, also known as State Road #3453, said point marking a corner of the property of Mecklenburg County as described in a deed recorded in Book 5732 at Page 799 in the Mecklenburg Public Registry and running thence North 53-42-55 East 51.05 feet to an iron located in the southerly most corner of the property of the Town of Matthews described in a deed recorded in Deed Book 8857 at Page 421 in the Office of the Register of Deeds for Mecklenburg County and running thence with the easterly line of the property of the Town of Matthews as described above North 53-45-11 East 421.11 feet to an iron, a corner of the property of the Town of Matthews described in a deed recorded in Book 6503 at Page 811 in the Office of the Register of Deeds for Mecklenburg County; and thence running thence with a line of the property of the Town of Matthews as described in a deed recorded in Book 6503 at Page 811 in the Office of the Register of Deeds for Mecklenburg County North 53-38-38 East 165.00 feet to an iron marking a common corner of the property of the Town of Matthews and the property of Mecklenburg County; and running thence South 35-06-37 East 95.08 feet to an iron, said iron being located North 55-52-56 West 2,136.71 feet from an existing concrete right-of-way monument located at the northwest corner of Tank Town Road and I-485; thence with a new line South 27-14-57 West 141.49 feet to an iron; thence South 40-51-19 West 150.90 feet to an iron; thence South 19-16-59 West 196.10 feet to an iron in the center line of Tank Town Road; thence with the center line of Tank Town Road in a westerly directly in three courses and distances as follows: 1) North 70-43-01 West 274.58 feet; 2) North 66-33-39 West 31.57 feet; and 3) with the arc of a curve to the right having a radius of 695.12 feet, a arc distance of 56.64 feet to the point and place of beginning and containing 2.592 acres, all as shown on a survey of the subject property prepared by Yarbrough-Williams & Associates, Inc., dated May 20, 1998.

Section 3. Notice of said public hearing shall be published in a newspaper having general circulation in the Town of Matthews, at least ten (10) days prior to the date of the said public hearing.

This the 10<sup>th</sup> day of August, 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS  
OF THE TOWN OF MATTHEWS, NORTH CAROLINA, AUTHOR-  
IZING THE ASSISTANT TOWN MANAGER TO FILE APPLICATION  
FOR APPROVAL OF INSTALLMENT FINANCING CONTRACT WITH  
THE LOCAL GOVERNMENT COMMISSION TO FINANCE THE RENO-  
VATION AND EXPANSION OF THE MATTHEWS COMMUNITY  
CENTER, BEING REAL PROPERTY OWNED BY THE TOWN OF  
MATTHEWS.

WHEREAS, the Town of Matthews over the last eighteen years has increased population from 1,950 people to over 21,000 people within its city limits; and

WHEREAS, the Town of Matthews is continuing to increase its population at a rapid pace and is faced with an ever increasing need for community and leisure time activities; and

WHEREAS, the Town Board of Commissioners is desirous to provide recreational and leisure time activities to its citizens; and

WHEREAS, the Town of Matthews for over 18 years has owned and maintained the Matthews Community Center; being an historic designated building formerly being known as the Matthews School and formerly belonging to the Charlotte Mecklenburg Board of Education; and

WHEREAS, the Town of Matthews has maintained and renovated the said Matthews Community Center over the last 15 years, but said Center is now in dire need of renovation and expansion; and

WHEREAS, the Town Attorney has rendered an opinion to the Town Board of Commissioners that the proposed undertaking is authorized by law and is a purpose for which public funds may be expended pursuant to the constitution and laws of North Carolina; and

WHEREAS, installment financing contract is a preferable means of financing the construction of the renovation and expansion of the town owned property over general obligation and revenue bond issues because the project is faced with a time is of the essence factor with the onset of fall and winter weather which will make the existing Community Center almost unusable; additionally the upfront cost and the cost of the installment financing as well as the anticipated percentage interest rate are substantially the same as bonds; and finally, the estimated project cost to be financed is 2.7 million dollars; and

WHEREAS, the Town's present budgetary process can absorb the monthly payments without any substantial or major increases anticipated in the property tax rate to payoff this debt service; and.

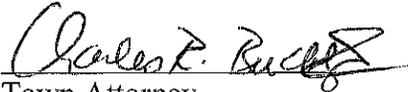
WHEREAS, the Town at present has a very small amount of debt service which is only a nominal percentage of the 8% debt limitation as required by the North Carolinas Constitution; and

WHEREAS, the Town as never defaulted on any of its debt service and it is necessary that the Town of Matthews designate an official to file Application for Approval of its installment financing contract with the Local Government Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Commissioners of the Town of Matthews, North Carolina, at its regular session held on September 14, 1998, that the Town proposes to improve property already owned by the Town by renovating and expanding a community building located on South Trade Street next to the existing Matthews Elementary School, and to finance the renovations and expansion by an installment contract with a loan to be 2.7 million dollars and that the Assistant Town Manager, Kay Thompson, is hereby designated the representative of the Town to file Application for Approval of the installment financing contract in the amount of 2.7 million dollars with the Local Government Commission.

RESOLVED, this the 14<sup>th</sup> day of September 1998.

APPROVED AS FORM:

  
Town Attorney

  
Mayor

[ATTEST]

  
Town Clerk

PRELIMINARY ASSESSMENT ROLL RESOLUTION

WHEREAS, on the 24<sup>th</sup> day of November, 1997, the property owners in the Brandywine Subdivision, being Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court, filed with the Town Clerk a Petition for improving said streets at a cost not to exceed \$20,000; and

WHEREAS, the Town Clerk certified to the Board of Commissioners that the said Petition was sufficient in all respects and the Town Board, on the 12<sup>th</sup> day of January, 1998, adopted a Preliminary Assessment Resolution stating the Board's intent to do the necessary repairs and assess the cost thereof on an equal basis per benefiting lot with the total assessment not to exceed \$20,000 and further calling for a Public Hearing to be held on the 9<sup>th</sup> day of February, 1998; and

WHEREAS, the Public Hearing was held on the 9<sup>th</sup> day of February, 1998; and

WHEREAS, on the 23<sup>rd</sup> of February, 1998, the Board adopted the resolution directing that the project be undertaken; and

WHEREAS, the necessary repairs have been performed by the Public Works Department of the Town of Matthews at a total cost of \$25,720;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of Matthews, North Carolina:

1. That pursuant to the provisions of N.C.G.S. §160A-227 the Town Board hereby fines that the total cost of the repair and reconstruction work to Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court pursuant to petition filed is hereby determined to be \$25,720;

2. That one hundred (100%) percent of the total cost of said improvements, exclusive of so much of the total cost as is incurred in improving street intersections has heretofore been assessed upon the property receiving the improvements on an equal basis per benefiting lot with a total assessment not to exceed \$20,000;

3. That the Town Staff is hereby ordered to prepare a Preliminary Assessment Roll to contain a brief description of each lot, parcel or tract of land assessed, the basis for the assessment, the amount assessed against each, the terms of payment, including of schedule of discounts, if such a schedule is to be established, and the name of the owner of each parcel of land as far as this can be ascertained from the County Tax records;

4. That upon completion of the Preliminary Assessment Roll, it shall be filed in the City Clerk's office where it shall be available for public inspection;

5. That a Notice of the completion of this Assessment Roll, setting forth in general terms a description of the project, noting the availability of the Assessment Roll in the Clerk's Office for inspection, and stating the time and place for a hearing on the Assessment Roll (as hereinafter ordered) shall be published at least ten (10) days before the date set for the hearing on the Preliminary Assessment Roll;

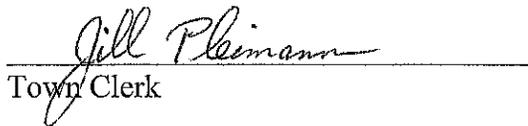
6. That further, a Notice of the hearing on the Preliminary Assessment Roll to be mailed to the owners of property listed thereon at least ten (10) days before the hearing;

7. That a Public Hearing be held on the Preliminary Assessment Roll on Monday, the 12<sup>th</sup> day of October, 1998 at the regular Board meeting to be held at 7:00 o'clock P.M.

RESOLVED, this the 14<sup>th</sup> day of September, 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



# TOWN OF MATTHEWS

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R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## RESOLUTION TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT

**WHEREAS**, the Town of Matthews is applying for funding under the Community Development Block Grant (CDBG) Program from the North Carolina Department of Commerce; and

**WHEREAS**, the North Carolina Department of Commerce requires certain assurances and certifications from the Town of Matthews as applicant; and

**WHEREAS**, the Town of Matthews has legal authority to apply for CDBG funds and to execute the proposed programs;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS THAT:**

1. The Town of Matthews (hereinafter referred to as "Town" or "Applicant") is hereby authorized to file applications for CDBG funds, including all understandings, certifications and assurances contained therein;
2. The Mayor of the Town of Matthews is hereby authorized, directed and designated to be the Town's chief elected official, and as authorized representative of the Town, shall act in connection with the applicant to provide such additional information and execute such documents as may be required in connection therewith.

ADOPTED THIS 12<sup>th</sup> DAY OF OCTOBER, 1998

  
MAYOR

ATTEST

  
TOWN CLERK

cdbgreso.o98





# TOWN OF MATTHEWS

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R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
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Martha W. Krauss  
W. Kress Query

## RESOLUTION IN SUPPORT OF THE PROPOSED STATE BOND ISSUES FOR WATER, SEWER AND NATURAL GAS

WHEREAS, the North Carolina General Assembly in its 1998 session ratified SB 1354 Bonds/Critical Infrastructure Needs, and Governor James B. Hunt Jr., signed the bill into law and pledged his active support;

WHEREAS, SB 1354 provides \$800 million in loans and grants for much needed water and wastewater capital projects;

WHEREAS, SB 1354 provides \$200 million to extend natural gas service into underserved areas of the state;

WHEREAS, a recent study has identified more than \$11 billion in water and sewer capital needs, and the bonds are a critical step in meeting these long-range infrastructure needs;

WHEREAS, the water and sewer bonds will assist local governments in all areas of the state to protect the quality of our surface and drinking waters and promote sound economic development;

WHEREAS, the water, sewer and natural gas bonds will facilitate smart growth and result in more jobs for North Carolinians; and

WHEREAS, the bond issues will help move North Carolina forward;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Matthews strongly supports the bond issues proposed by SB 1354 for water, sewer and natural gas and encourages citizens to vote in favor of these bond issues at the polls on November 3.

Adopted this 12th day of October, 1998.

  
Mayor R. Lee Myers

  
Town Clerk



RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS

WHEREAS, the Board of Commissioners of the Town of Matthews, North Carolina held a public hearing on the 12<sup>th</sup> day of October, 1998, after due notice as required by law, on the Assessment Roll for the improvements to the Streets within the Brandywine subdivision, being Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court;

and

WHEREAS, the Town Board of Commissioners heard all those present who requested to be heard, and has found that said Assessment Roll to be proper and correct.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that:

1. The Assessment Roll for the improvements of the Streets within the Brandywine subdivision, being Brandywine Drive, Chateau Court, Mondovi Court and Sonoma Court in the Town of Matthews, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228 of the General Statutes of North Carolina.

2. The Town Board of Commissioners of the Town of Matthews, North Carolina, pursuant to the authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following Sections, does hereby levy assessments as contained in the said Assessment Roll, as follows:

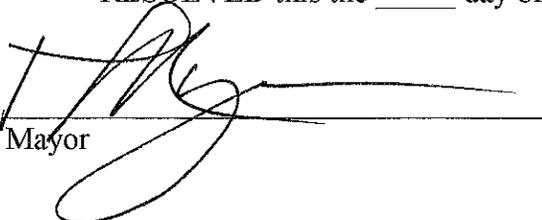
See Exhibit A attached hereto and incorporated herein for a more specific description of the Assessments as they appear on the Roll.

3. That the Town Clerk is hereby directed to deliver to the Town Tax Collector the Assessment Roll.

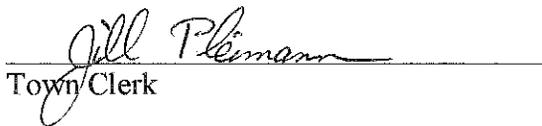
4. The Town Tax Collector is hereby charged with collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.

5. The Town Tax Collector is hereby further directed to publish once, the notice required by Chapter 160A, Section 229 of the General Statutes of North Carolina.

RESOLVED this the 26<sup>th</sup> day of October, 1998.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Town Clerk



# TOWN OF MATTHEWS

P.O. Box 398  
212 N. Trade Street  
Matthews, North Carolina 28106  
704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

**WHEREAS**, the growth of the Charlotte metropolitan region has brought with it a substantial growth in traffic and congestion; and

**WHEREAS**, there have been studies over the years that have recommended that the City, Town and County pursue a transit option to provide alternatives for congested roads in the region; and

**WHEREAS**, the 1997 General Assembly, in recognition of the need to provide financing for the development of a transit alternative for the area authorized the Mecklenburg Board of Commissioners to call for a referendum on a 1/2¢ sales tax with the proceeds to go to transit development, which the Commissioners have done; and

**WHEREAS**, if approved by the voters the Town of Matthews will receive funding for the future operation of a transit system within Matthews and to allow Matthews to be a part of a county-wide system, should Matthews so choose.

**BE IT THEREFORE RESOLVED**, that the Board of Commissioners of the Town of Matthews endorses the proposed 1/2¢ sales tax to be used for transit and urges the citizens of Matthews to support the same at the referendum being held on November 3, 1998.

Adopted the 26th of October, 1998.



R. L. Myers - Mayor



Jill Pleimann  
Town Clerk





# TOWN OF MATTHEWS

P.O. Box 398  
212 N. Trade Street  
Matthews, North Carolina 28106  
704/847-4411 • Fax: 704/845-1964

R. LEE MYERS - Mayor

BOARD OF COMMISSIONERS  
Chris M. Kallianos - Mayor Pro-Tem  
Paul F. Bailey  
George M. Fossett  
Karina Glass  
Martha W. Krauss  
W. Kress Query

## RESOLUTION

**WHEREAS**, Lead Regional Organizations have established productive voluntary working relationships with municipalities and counties across North Carolina; and

**WHEREAS**, the 1997 General Assembly recognized this need through the appropriation of \$864,270 for each year of the biennium to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and other activities as deemed appropriate by their local governments; and

**WHEREAS**, these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

**WHEREAS**, in the event that a request is not made by the Town of Matthews for release of these funds to the Lead Regional Organization, the available funds will revert to State's general funds; and

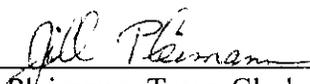
**WHEREAS**, in Region F, funds in the amount of \$48,015 will be used to/for preparation of HOME and CDBG applications, regional data center, regional buildings permit tracking system, and other economic development activities that may deem appropriate;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners requests the release of its share of these funds, \$786.17, to Centralina Council of Governments at the earliest possible time in accordance with the provisions of state laws.

This the 23rd day of November, 1998.

  
R. Lee Myers - Mayor

ATTEST:

  
Jill Pleimann, Town Clerk



# TOWN OF MATTHEWS

309 South Trade Street  
P.O. Box 398  
Matthews, N.C. 28106  
704/847-3640



## Public Works Department

John J. Goins, Director

### RESOLUTION ADDING STREETS TO THE MATTHEWS STREET SYSTEM

**BE IT RESOLVED**, by the Town of Matthews, North Carolina, at its regular session, held November 23, 1998, that it hereby adds the street known as Sweet Gum Lane, 0.21 miles, to the Town's Street system.

RESOLVED, this the 23 day of November, 1998.

\_\_\_\_\_  
Mayor

ATTEST

*Jill Plimann*  
\_\_\_\_\_  
Town Clerk



**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MATTHEWS, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST WITH RESPECT THERETO AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS.**

**WHEREAS**, the Town of Matthews, North Carolina (the "*Town*") is a municipal corporation, duly and regularly created, organized and validly existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

**WHEREAS**, the Town has the power, pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended, to (i) purchase real and personal property, (ii) enter into installment financing contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (iii) finance the construction of fixtures or improvements on real property by contracts that create in the fixtures or improvements and in the real property on which such fixtures or improvements are located a security interest to secure repayment of moneys advanced or made available for such construction;

**WHEREAS**, the Town Council of the Town (the "*Town Council*"), hereby determines that it is in the best interests of the Town to receive an advance of funds in an aggregate principal amount of not more than \$2,700,000 by entering into an installment financing contract (the "*Contract*") with First Union National Bank, a national banking association (the "*Bank*"), and a deed of trust and security agreement related thereto (the "*Deed of Trust*") to secure the Town's obligations under the Contract, in order to provide a portion of the funds necessary for the renovation and expansion of the Matthews Community Center within the Town (the "*Project*") to be located on certain land owned or to be owned by the Town as more specifically described in Exhibit A to the Contract;

**WHEREAS**, the Project will be owned and operated by the Town to serve the citizens of the Town;

**WHEREAS**, the Town hereby determines that the Project is essential to the Town's proper, efficient and economic operation and to the general health and welfare of its inhabitants, that the Project will provide an essential use and will permit the Town to carry out public functions that it is authorized by law to perform, and that entering into the Contract is necessary and expedient for the Town by virtue of the findings presented herein;

**WHEREAS**, the Town hereby determines that the estimated cost of the Project is not less than \$2,700,000 and that such cost of the Project exceeds the total sum of certain grants the Town expects to receive in connection with the Project and the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and nonvoted bonds that could be issued by the Town in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

**WHEREAS**, although the cost of financing the Project pursuant to the Contract is expected to exceed the cost of financing the Project pursuant to a bond financing for the same undertaking, the Town hereby determines that the cost of financing the Project pursuant to the Contract and the Deed of Trust and the obligations of the Town thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (i) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State,

would result in the expenditure of significant funds, (ii) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring the Project, and (iii) no revenues are produced by the Project so as to permit a revenue bond financing;

**WHEREAS**, the Town hereby determines that the estimated cost of financing the Project pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

**WHEREAS**, the obligation of the Town to make Installment Payments under the Contract is a limited obligation of the Town payable solely from currently budgeted appropriations of the Town and does not constitute a pledge of the faith and credit of the Town within the meaning of any constitutional debt limitation;

**WHEREAS**, in order to secure the Town's obligations under the Contract, the Town will enter into the Deed of Trust with the deed of trust trustee named therein for the benefit of the Bank;

**WHEREAS**, the Town does not anticipate future property tax increases solely to pay installment payments falling due under the Contract in any fiscal year during the term of the Contract;

**WHEREAS**, the sums to fall due under the Contract will not exceed \$250,000.00 for each of the fifteen (15) fiscal years that the Contract will be in effect;

**WHEREAS**, Parker, Poe, Adams & Bernstein L.L.P., as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law and constitute a purpose for which public funds may be expended pursuant to the Constitution and laws of the State;

**WHEREAS**, no deficiency judgment may be rendered against the Town in any action for its breach of the Contract, and the taxing power of the Town is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

**WHEREAS**, the Town is not in default under any of its debt service obligations;

**WHEREAS**, the Town's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the Town has conformed with generally accepted accounting principles in preparing its Annual Budget Ordinance;

**WHEREAS**, past audit reports of the Town indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the Town has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

**WHEREAS**, the Town Council conducted a public hearing with respect to the Project on [DATE OF PUBLIC HEARING] to receive public comments on the Project, the proposed financing, the Contract and the Deed of Trust to complete the Project and the Town has filed an application with the LGC for approval of the LGC with respect to the Town entering into the Contract;

**WHEREAS**, there has been presented to the Town Council the forms of the Contract and the Deed of Trust (collectively, the "*Instruments*"), copies of which are attached hereto, which the Town proposes

to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate of 4.25% per annum and for a maximum principal amount of \$2,700,000 as specified in the Instruments; and

**WHEREAS**, it appears that each of the Instruments is in appropriate form and is an appropriate instrument for the purposes intended;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MATTHEWS, NORTH CAROLINA, AS FOLLOWS:**

**Section 1. Ratification of Prior Actions.** All actions of the Town, the Town Manager, the Finance Officer of the Town and the Town Clerk and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

**Section 2. Approval, Authorization and Execution of Contract.** The Town hereby approves the Project in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the Town in accordance with its terms. The Town hereby approves the amount advanced by the Bank to the Town pursuant to the Contract in an aggregate principal amount of \$2,700,000, such amount to be repaid by the Town to the Bank as provided in the Contract in 180 monthly installments of principal and interest in arrears at an interest rate of 4.25% per annum. The form, terms and content of the Contract are in all respects authorized, approved and confirmed, and the Mayor, the Town Manager, the Finance Officer of the Town and the Town Clerk or their respective designees are authorized, empowered and directed to execute and deliver the Contract for and on behalf of the Town, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Contract, the Mayor, the Town Manager, the Finance Officer of the Town and the Town Clerk or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

**Section 3. Approval, Authorization and Execution of Deed of Trust.** The form, terms and content of the Deed of Trust are in all respects authorized, approved and confirmed, and the Mayor, the Town Manager, the Finance Officer of the Town and the Town Clerk or their respective designees are authorized, empowered and directed to execute and deliver the Deed of Trust for and on behalf of the Town, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Deed of Trust, the Mayor, the Town Manager, the Finance Officer of the Town and the Town Clerk or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

**Section 4. Further Actions.** The Town Manager, the Mayor of the Town Council and the Finance Officer of the Town are hereby designated as the Town's representatives to act on behalf of the Town in connection with the transactions contemplated by the Instruments, and the Town Manager, the Mayor of the Board and the Finance Officer of the Town are authorized and directed to proceed with the Project in accordance with the terms of the Instruments, and to seek opinions on matters of law from the Town

Attorney, which the Town Attorney is authorized to furnish on behalf of the Town, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Mayor, the Town Manager and the Finance Officer of the Town are hereby authorized to designate one or more employees of the Town to take all actions which the Mayor, the Town Manager and the Finance Officer of the Town are authorized to perform under this Resolution, and the Mayor, the Town Manager, the Finance Officer of the Town or their designees are in all respects authorized on behalf of the Town to supply all information pertaining to the transactions contemplated by the Instruments. The Town Clerk, the Town Manager, the Mayor of the Board and the Finance Officer of the Town are authorized to execute and deliver for and on behalf of the Town any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

*Section 5. Designation as Bank Qualified.* The Town hereby designates the Contract as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The Town does not reasonably anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code, including all entities which issue obligations on behalf of the Town and all subordinate entities of the Town, during calendar year 1998 and the Town will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during calendar year 1998.

*Section 6. Repealer.* All motions, orders, resolutions, ordinances and parts thereof, in conflict herewith are hereby repealed.

*Section 7. Severability.* If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

*Section 8. Effective Date.* This Resolution shall become effective on the date of its adoption.

**YEAS** Mayor Lee Myers; Mayor Pro-Tem Chris Kallianos  
Commissioners Paul Bailey, George Fossett,  
Karina Glass, Martha Krauss, Kress Query

**NAYES** None

**PASSED, ADOPTED AND APPROVED** this 14 day of December, 1998.