

**LENOIR CITY COUNCIL
TUESDAY, SEPTEMBER 6, 2022
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Mayor Pro-Tem Crissy Thomas, Jonathan Beal, Kent Greer, Todd Perdue, Ralph Prestwood, David Stevens, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney T.J. Rohr.

ABSENT: Councilmember Ike Perkins.

STAFF PRESENT: Parks & Recreation Director Kenny Story, Police Chief Brent Phelps, Fire Chief Ken Hair, Public Services Director Radford Thomas, Public Utilities Operations Manager Jeff Church, Public Works Operations Manager Jonathan Hogan, Main Street & Economic Development Director Kaylynn Horn, Communications Director Joshua Harris, and Main Street Engagement Coordinator Matthew Anthony.

ABSENT: Planning Director Jenny Wheelock.

I. CALL TO ORDER

A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance.

COMMEMORATION OF;

PATRIOT DAY: B. On behalf of City Council, Mayor Gibbons read and presented a resolution to Cindy Day, Executive Director, Caldwell Heritage Museum, in honor and recognition of Patriot Day, which commemorates the lives of those who died in the September 11, 2001 terrorist attacks on our country.

Mayor Gibbons asked everyone to continue to pray for those families who lost loved ones on that day and to keep them in their thoughts and prayers.

Ms. Day thanked City Council for the recognition.

PROCLAMATION; CONSTITUTION

WEEK: C. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Cindy Day, Executive Director, Caldwell Heritage Museum, and Member of the Board of Directors of the Daughters of the American Revolution (DAR), proclaiming the week of September 17 – 23 as “Constitution Week” in the City of Lenoir.

Ms. Day thanked City Council for the recognition. A celebration will also be held on Saturday, September 17 at the Charters of Freedom located beside of the former Courthouse in downtown Lenoir to commemorate “Constitution Day.”

CALDWELL ROTARY 40-YEAR

ANNIVERSARY: D. On behalf of City Council, Mayor Gibbons read and presented a resolution to Caldwell Rotary President and Councilmember Ralph Prestwood in honor and recognition of Caldwell Rotary’s 40-year Anniversary. As background

information, in 1982, a group of Lenoir residents gathered to start a new Rotary Club in Caldwell County sponsored by the Lenoir Rotary Club, which later become the Caldwell Rotary Club.

President Prestwood thanked City Council for the recognition and remarked the resolution highlights the club's service to the community. He encouraged others to consider joining the organization.

Other Caldwell Rotary Club members in attendance were Chris Cole, Charles Beck, David Gray, Councilman Kent Greer, and Thomas Welch. In addition, Caldwell Rotary has four charter members, who are Ron Beane, Bruce Cannon, David Gray and Jeff Joines.

On behalf of Caldwell Rotary Club, President Ralph Prestwood presented a check in the amount of \$30,000 to the City of Lenoir to be used for the lighting project at Mack Cook Stadium. Mr. Prestwood further presented a \$2,000 check to the City, given in honor of Caldwell Rotary Club's four charter members, to be used as "seed" money for bleachers at Mack Cook Stadium. Mayor Gibbons accepted the two checks on behalf of the City.

On behalf of City Council, Mayor Gibbons thanked Caldwell Rotary Club for the donations and expressed appreciation for all they do for the City of Lenoir, its citizens and the community.

**NOTIFICATION;
PARTF GRANT:**

- D. On behalf of City Council, Mayor Gibbons congratulated Parks and Recreation Director Kenny Story upon the City of Lenoir being awarded a \$500,000 grant from the Parks and Recreation Trust Fund (PARTF). These funds will be used to build a new splash pad and to make other improvements at the Lenoir Aquatic and Fitness Center and the Lenoir Rotary Soccer Complex.

The grant requires a local match, so the City will allocate another \$500,000 for the project, bringing the total investment to just over \$1 million.

Mayor Gibbons thanked Director Story and Staff for all their hard work in achieving this significant award.

Director Story stated he was happy and excited to learn the City received the funding and remarked this grant will assist the department with bringing in more recreational opportunities to the community. In addition, Director Story stated Lenoir ranked in the top 10 list of scores, out of 39 grants awarded by PARTF, and emphasized this will be a really good project for the City.

In addition, these funds will be used to make renovations to the building at the Aquatic & Fitness Center. The City has three years to complete the project and should receive notification to proceed within a couple of months.

- INTRODUCTION: E. Mayor Gibbons recognized developer Yorke Lawson who was present and extended congratulations to him for the notification of an award he will be receiving from Preservation North Carolina for the renovation project of the former Blue Bell building. Mayor Gibbons thanked Mr. Lawson for his great

partnership with the City of Lenoir.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 16, 2022 as submitted.
- B. Minutes: Approval of the closed session minutes of the City Council meeting of Tuesday, August 16, 2022 as submitted.
- C. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, August 23, 2022 as submitted.
- D. Resolution; Patriot Day: Approval of a resolution commemorating "Patriot Day" on Sunday, September 11, 2022, in remembrance of those who lost their lives in the 2001 attack against our nation and requesting that all U.S. flags be flown at half-staff as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 257.)
- E. Constitution Week: Approval of a proclamation proclaiming the week of September 17 through September 23, 2022 as "Constitution Week" in the City of Lenoir as submitted. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 258.)
- F. Caldwell Rotary 40-Year Anniversary: Approval of a resolution in honor and recognition of Caldwell Rotary's 40-year Anniversary in the City of Lenoir as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 259.)
- G. Final Offer to Purchase Real Property; 2585 Collettsville Road: Staff recommends approval of an Acceptance of an Offer to Purchase Real Property by Resolution in the amount of \$750.00, plus the cost of the required published legal notice, as submitted by Ronald Brian Teague for property located at 2585 Collettsville Road and being approximately 0.90 acre, a portion of the 33.42 acre tract, NCPIN#2831509864 and Tax ID#06253-1-1 as submitted. The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, August 19 starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269 following Council's acceptance of the Offer to Purchase. Staff recommends City Council accept the Final Offer to Purchase because the City did not receive any upset bids. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to pages 260-261.)
- H. Proposal; Labrie Automizer Side Loading, 2023 Refuse Truck: Staff recommends City Council adopt a Resolution Authorizing the Utilization of the Competitive Bidding Group Purchasing Exception and Authorizing the Purchase of a Refuse Truck as allowed by the N.C.G.S. §143-129(e),(3)). This vehicle is on the North Carolina Sheriff's Association (NCSA) contract bid#23-07-0421, Lot #334. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 262.)
- I. Authorizing Resolution; AIA Grant Application: If Council wishes to proceed with the grant submittal; City Council should adopt the proposed Resolution authorizing the City Manager to execute and file the Water System Asset Inventory and Assessment Grant Application on behalf of the City of Lenoir with the North Carolina Department of Environmental Quality (NCDEQ) for this project. (A copy of the resolution and certification statement is hereby incorporated into these minutes by reference. (Refer to pages 263-264.)
- J. Authorizing Resolution; AIA Grant Application for Wastewater: If Council wishes to proceed with the grant submittal; City Council should adopt the proposed Resolution authorizing the City Manager to execute and file the Wastewater System Asset Inventory and Assessment Grant Application on behalf of the City of Lenoir with the

North Carolina Department of Environmental Quality (NCDEQ) for this project. (A copy of the resolution and certification statement are hereby incorporated into these minutes by reference. (Refer to pages 265-266.)

- K. Reduction; Speed Limit: Staff recommends City Council call for a public hearing to be held on Tuesday, September 20 to consider adopting the 20 MPH Speed Limit for the entire lengths on Pennwood Street NE, Glenview Street NE, Circle Drive NE, and Ridgecrest Drive NE, allowing for posting at the discretion of the Public Works Operations Manager as submitted. Following approval, these streets will be listed under Appendix B of the Code of Ordinances, Section 114, "Twenty mile an hour speed limit on the following streets;" as submitted by City Staff. City Staff further recommends that a rumble strip be installed. Note: Due to the cancellation of the September 20 City Council meeting, the public hearing will be held on Tuesday, October 4.
- L. Establishment of Downtown Social District: Staff recommends City Council call for a public hearing to be held on Tuesday, September 20 to allow for input on the establishment of a Social District and consider adoption of any ordinance establishing a Social District as submitted. Due to the cancellation of the September 20 City Council meeting, the public hearing will be held on Tuesday, October 4.

Upon a motion by Councilmember Stevens, City Council voted 6 to 0 to approve items A through L as listed above on the Consent Agenda and as presented and recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

LENOIR BUSINESS ADVISORY

- BOARD:** 1. The Lenoir Business Advisory Board will meet on Thursday, September 8 at 6:00 p.m. at City Hall, Third Floor.

ANNUAL SCULPTURE

- FESTIVAL:** 2. The annual Sculpture Festival will be held on Saturday, September 10 from 9:00 a.m. – 4:00 p.m. at J.E. Broyhill Park.

NCDOT FALL LITTER

- SWEEP:** 3. The annual North Carolina Department of Transportation's (NCDOT) Fall Litter Sweep begins on Saturday, September 10 and ends on Saturday, September 24. Additional information regarding volunteering locally is available at www.ncdot.gov/littersweep.

CITY/COUNTY SERVICES

- COMMITTEE:** 4. The City/County Services Committee will meet on Monday, September 12 at noon at Caldwell Community College & Technical Institute.

- EDC:** 5. The Caldwell County Economic Development Commission (EDC) will meet on Tuesday, September 13 at 8:00 a.m.

**PARKS & RECREATION
ADVISORY BOARD:**

6. The Parks & Recreation Advisory Board will meet on Monday, September 19 at 6:00 p.m. at Mulberry Recreation Center.

**100TH YEAR CELEBRATION;
LENOIR HIGH SCHOOL (LHS):**

7. The former Lenoir High School will celebrate its 100th year anniversary on Friday, September 30 and Saturday, October 1st. A free concert by the Brass Band of North Carolina is scheduled on Friday, September 30 at 6:00 p.m. Information will be posted on how to register for the free concert due to seating purposes.

B. Items for Council Action

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting adjourned at 6:40 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
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R. S. PRESTWOOD
D. F. STEVENS
C. D. THOMAS

Patriot Day Commemoration

September 11, 2022

WHEREAS, Patriot Day commemorates the lives of those who died in the September 11, 2001, terrorist attacks on our country – the United States of America; and

WHEREAS, this holiday honors those who perished in the World Trade Center in New York and the Pentagon in Virginia, and those who died attempting to rescue people trapped in the rubble, as well as the individuals killed when the hijacked United Airlines Flight 93 crashed in Pennsylvania; and

WHEREAS, Patriot Day was designated by joint resolution of the U.S. Congress on December 18, 2001; the resolution called for the President of the United States to issue a yearly proclamation requesting that all U.S. flags be flown at half-staff; and

WHEREAS, on Patriot Day, Americans are asked to honor the dead with a moment of silence beginning at 8:46 a.m. Eastern Standard Time, the time that the first airplane struck the World Trade Center, and to respect the ceremonies of remembrance; and

WHEREAS, each year on September 11, citizens across the United States of America are reminded how precious our freedom and safety truly are and pay tribute to those whose lives were tragically lost that day; and

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, commemorate Patriot Day on September 11, 2022, and express our deepest condolences for those lives lost in the 2001 terrorist attacks against our nation, as well as our highest gratitude for those who endeavor to preserve our liberties and our safety.

SEAL

This the 6th day of September 2022.

Joseph L. Gibbons, Mayor





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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PROCLAMATION IN HONOR OF CONSTITUTION WEEK

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2022 marks the two hundred thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating the week of September 17 through September 23 as Constitution Week.

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council and all the citizens, do hereby proclaim the week of September 17 through September 23, 2022 as "Constitution Week" in the City of Lenoir and urge all citizens to study the Constitution and reflect on the privilege of being an American with all of the rights and responsibilities this privilege affords.

This the 6th Day of September, 2022.

SEAL


Joseph L. Gibbons, Mayor




CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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C. D. THOMAS

Caldwell Rotary 40 Year Anniversary

WHEREAS, Chicago attorney Paul Harris formed the Rotary Club of Chicago in 1905, so professionals with diverse backgrounds could exchange ideas and form meaningful, lifelong friendships; and

WHEREAS, in 1982, a group of Lenoir residents gathered to start a new Rotary Club in Caldwell County sponsored by the Lenoir Rotary Club, that club would become the Caldwell Rotary Club, and today the club has the earliest meeting time among Rotary clubs starting at 6:44 a.m.; and

WHEREAS, in 1983, Caldwell Rotary helped give birth to high school soccer in Caldwell County by purchasing soccer goals and balls for all three county high schools and games were originally played at Lenoir High School Mack Cook Stadium; and

WHEREAS, Caldwell Rotary started supporting the Boy Scouts in 1984; and

WHEREAS, the club-sponsored Little League Team won the local championship that same year; and

WHEREAS, Caldwell Rotary donated more than \$4,500 from 1984 to 1985 to support Rotary International's effort to eradicate polio, and a few years later, the club paid to decorate the Caldwell Senior Center lobby and contributed much of the labor for the effort; and

WHEREAS, in 1989, Caldwell Rotary created the Caldwell County Sports Hall of Fame and held the first induction ceremony, and during the last 32 years, 140 individuals and teams have been inducted in the Sports Hall of Fame; and

WHEREAS, One year after its founding, Caldwell Rotary members created the club's most significant project – the Youth Scholarship Program, which provides a scholarship to one graduating senior from each of the county's three high schools, and today those scholarships are awarded in the name of the late Carroll Laxton, Club President from 1996 to 1997, and the late Steve Jaynes, Club President from 1997 to 1998; and

WHEREAS, Caldwell Rotary also provides a yearly scholarship to a local Caldwell Community and Technical Institute student in memory of the late Robert Styres, a Charter Member, Past President, and long-time member of the Lenoir and Caldwell County Boards of Education; and

WHEREAS, During the past 39 years of the Youth Scholarship Program, Caldwell Rotary has donated \$140,000 in funds to support local students and help further their education;

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, congratulate Caldwell Rotary Club on its 40th Anniversary and thank club members past and present for their many contributions to local and national causes, and I especially thank Caldwell Rotary for supporting Caldwell County youth and students for the past four decades.

This the 6th day of September 2022.

SEAL


Joseph L. Gibbons, Mayor





CITY MANAGER
SCOTT E. HILDEBRAND

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NORTH CAROLINA

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RESOLUTION

WHEREAS, the City of Lenoir owns certain property, located at 2585 Collettsville Road, Lenoir, North Carolina, and more particularly described below; being NCPIN#2831509864, Parcel ID# 062531-1; and approximately 0.90 acre, a portion of the 33.42 acre tract; and

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

WHEREAS, the City has received an offer in the amount of \$750.00 to purchase the property as described above, and as submitted by Ronnie Brian Teague, 501 Golfview Court, Lenoir, NC; and

WHEREAS, Ronnie Teague has paid/will pay the required five percent (5%) deposit on his offer;

NOW, THEREFORE, BE IT RESOLVED, the LENOIR CITY COUNCIL of the City of Lenoir resolves that:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269.
2. The City Clerk 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. Any person may submit an upset bid to the office of the City Clerk within ten (10) days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the City Clerk 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. At that time, the amount of the final high bid shall be reported to the City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City 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 City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The City 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 City Officials are authorized to execute the instruments necessary to convey the property to Ronnie Brian Teague, 501 Golfview Court, Lenoir, North Carolina.

This the 6th day of September, 2022.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:



Shirley M. Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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**RESOLUTION BY LENOIR CITY COUNCIL AUTHORIZING
THE UTILIZATION OF THE COMPETITIVE BIDDING GROUP
PURCHASING EXCEPTION AND AUTHORIZING THE
PURCHASE OF A REFUSE TRUCK**

WHEREAS, the City Council of Lenoir approves the use of revenue replacement funding to purchase a Labrie Automizer Side Loading, 2023 Freightliner refuse truck; and

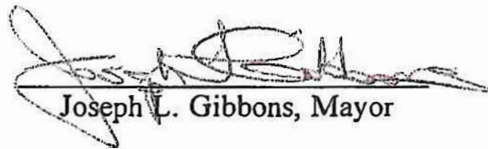
WHEREAS, the City Council of Lenoir approves the utilization of the competitive bidding group purchasing exception as allowed by the General Statutes (GS 143-129(e),(3)). This vehicle is on the North Carolina Sheriffs' Association (NCSA) contract bid # 23-07-0421 Lot #334.

NOW, THEREFORE, BE IT RESOLVED BY THE LENOIR CITY COUNCIL:

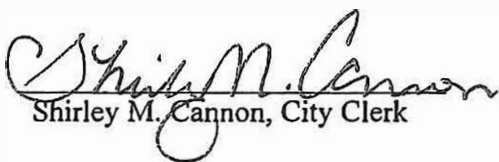
City Council approves the purchase of a refuse truck from Joe Johnson Equipment in the amount of \$285,000.00 utilizing revenue replacement funding.

Adopted this the 6th day of September, 2022.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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D. F. STEVENS
C. D. THOMAS

RESOLUTION BY THE LENOIR CITY COUNCIL

WHEREAS, The City of Lenoir has need for and intends to construct, plan for, or conduct a study in a project described as the Water Asset Inventory Assessment of the City's drinking water system, and

WHEREAS, The City of Lenoir intends to request state loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LENOIR:

That City of Lenoir, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That Scott Hildebran, City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the
filing of an application with the State of North Carolina, as regularly adopted at a legally
convened meeting of the City Council of the City of Lenoir duly held on the 6th day of
September, 2022; and, further, that such resolution has been fully recorded in the journal
of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand
this 7th day of September, 2022.


Signature

Shirley Cannon, City Clerk

Printed Name and Title



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. W. PERDUE
J. I. PERKINS
P. S. PRESTWOOD
D. R. STEVENS
C. D. THOMAS
B. K. WILLIS

RESOLUTION BY THE LENOIR CITY COUNCIL

WHEREAS, The City of Lenoir has need for and intends to construct, plan for, or conduct a study in a project described as the Sewer Asset Inventory Assessment of the City's wastewater system, and

WHEREAS, The City of Lenoir intends to request state loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LENOIR:

That City of Lenoir, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That Scott Hildebran, City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor

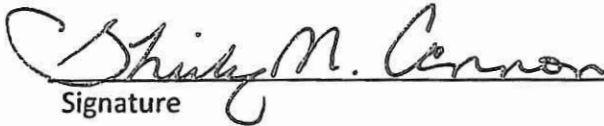


CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify:

That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the 6th day of

September, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of September, 2022.


Signature

Shirley Cannon, City Clerk

Printed Name and Title