

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 18, 2002

The Lincoln County Board of County Commissioners met in regular session on February 18, 2002 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman
Beth H. Saine, Vice-Chairman
Thomas R. Anderson, PE
Larry S. Craig
David P. Choate

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Long, Clerk to the Board

Call to Order: Chairman Cochrane called the meeting to order.

Invocation: The Invocation was given by Carrol Owens of New Testament Church.

Pledge of Allegiance

Adoption of Agenda: UPON MOTION by Commissioner Anderson, the Board voted unanimously to adopt the agenda deferring item 7 – Adoption of Fire Protection Ordinance and item 16 – Hospital Board Recommendations until November 19th.

AGENDA
LINCOLN COUNTY BOARD OF COMMISSIONERS
FEBRUARY 18, 2002

- | | | |
|----|---------|---|
| | 6:30 PM | Call to Order |
| | 6:31 PM | Invocation |
| | 6:33 PM | Pledge of Allegiance |
| 1. | 6:34 PM | Adoption of Agenda |
| 2. | 6:35 PM | Approval of Minutes
- February 4, 2002 |

3. 6:40 PM Consent Agenda
 - Tax Requests for Releases
 - Less than \$100 – December 16 – January 15, 2002
 - More than \$100 – December 16 – January 15, 2002
 - Tax Requests for Refunds
 - Less than \$100 - December 15 – January 15, 2002
 - More than \$100 - December 15 – January 15, 2002
 - Requests for Water Adjustments
 - January 15 – February 11, 2002
 - Late Pay Penalty Removal
 - January 15 – February 11, 2002
 - Budget Adjustments 50, 52, 56, 57, 58
 - Sponsored Group Status
 - Macedonia Baptist Church
 - Gold Hill Missionary Baptist Church
 - Grace Temple Holiness Church
 - Contract for Completion
 - The Gates at Waterside Crossing, Phase 7

4. 6:45 PM Public Comments

5. 7:00 PM Recommendations from Planning Board from February 4, 2002
 - Conditional Use Permit No. 202 – Ronald Downs, applicant.
 - Zoning Map Amendment No. 405 – Jeff Hybarger, applicant.
 - Zoning Text Amendment No. 407 – Lincoln County, applicant.
 - Subdivision Ordinance Amendment No. 16 – Lincoln County, applicant.

6. 7:20 PM CIS Thank You – Melissa Freeman

7. 7:30 PM Economic Development – W. J. Waters

8. 7:45 PM Public Hearing for Financing of East Lincoln Library – Leon Harmon

9. 7:55 PM Finance Officer’s Report – Leon Harmon

10. 8:05 PM Road Naming Public Hearing – April Nunn

11. 8:15 PM Funding for Pleasant Retreat Academy (Memorial Hall) – Hazel Andrews

12. 8:25 PM Child Fatality Prevention Team Annual Report – Rhonda Saunders

13. 8:35 PM Lincoln Natural Resources Committee Report – Sylvia Wallace
14. 8:45 PM Vacancies
15. 8:55 PM Appointments
16. 9:05 PM Calendar
17. 9:10 PM County Commissioners’ Report
18. 9:20 PM County Manager’s Report
19. 9:30 PM County Attorney’s Report
20. 9:40 PM Other Business

Adjourn

Approval of Minutes – February 4, 2002: Chairman Cochrane presented the minutes of the February 4, 2002 meeting for the Board’s approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the minutes with the following correction;

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Chairman Cochrane asked Mr. Taylor to try and establish time **parameters**. He stated that the Board felt uncomfortable because things were open-ended.

Consent Agenda: Chairman Cochrane presented the consent agenda for the Board’s approval.

Tax Requests for Releases

NAME	YEAR	A/C NO	AMOUNT
Baker, Crystal Brewster	2001	0112679	\$45.70
Ball, James	2001	0156509	\$14.01
Barkley, Ray Michael (Heirs of)	2001	05795	\$17.33
Baxter, Steven	2001	0100844	\$54.77
Beard, Chris	2001	0107299	\$30.31
Bisson, Scott P.	2001	0143981	\$26.74
Black, Jimmy Dean	2001	0119747	\$72.74
Blanton, Tyrone Arnold	1997-01	0070808	\$6.61
Bridges Bill M/H Park	2000/01	24437	\$60.68

Brown, Brenda G.	2001	01535	\$85.85
Brown, William Zachariah	2001	0087836	\$19.75
C D Medical Billing	2001	0148062	\$73.70
Carolina Green Thumb	2001	0140098	\$36.72
Cline, Larry Thomas Jr.	2001	0070433	\$67.14
Correll, Bob	2000/01	21655	\$67.46
Durham, Roy	2001	13035	\$1.25
Eaker, Guy Jr.	2001	0139876	\$39.69
Goodson, Burton Lee Jr.	2001	45482	\$31.12
Graham, Larry A.	2001	19861	\$4.65
Grigg, Jimmy L.	2001	0133357	\$5.25
Holt, William	2001	45606	\$54.24
Jackson, Ronald Lee	2001	0112980	\$67.59
Lail, Roy A.	2001	0100747	\$3.61
Laird, Robert	2001	0154585	\$95.61
Lamacchia, Anthony Nicholas	2000/01	0103940	\$6.77
Lawing, Woodrow Wilson III	2001	48612	\$46.70
Locklear, David	2001	0100756	\$68.24
Mathis, Randy	2001	07776	\$37.12
Matthews, Sherrill Ronnie	2001	00431	\$44.81
McCorkle, Ella	2000	38204	\$1.85
McLean, Kim	2000/01	0140002	\$87.37
Montero, Randy G.	2000/01	0064285	\$59.53
Muckler, Michael P. DDS	2000	0140516	\$39.38
Neal, Stephen Wayne	2001	0062594	\$74.78
Philyaw, Collas I.	2001	0106489	\$90.21
Ramsey, David E.	2000	0130118	\$20.88
Reep, Betty B.	1999	0126058	\$69.00
Reynolds, Shirley	2001	0076732	\$41.02
Ricardo, Kenneth John	2000/01	0064700	\$45.02
Rowe, William A.	2001	0130826	\$15.66
Saunders, David Gould	2001	0130776	\$92.91
Snyder, Bradley A.	2001	0142030	\$72.74
Vogt, Joan Palticia	2001	0119100	\$46.10
Weathers, Sarah	2000/01	42550	\$47.40
Weight, Marie C.	2001	0108870	\$25.89
Wilkinson, Steven	2001	15261	\$54.98
Williams, Daniel Joe	2000	0115364	\$13.87
		TOTAL	\$2,084.75

NAME	YEAR	A/C NO	AMOUNT
Beam, Michael Bess	2001	0102627	\$69.00
Beeson, Rebecca Gantt	2001	0130532	\$95.95

Bess Auto Sales	2001	0098519	\$47.22
Chaney's Septic Tank Service	1997-01	26260	\$91.72
Cook, Millie Heafner	2001	03191	\$21.65
Freeman, Rena	2001	16954	\$69.00
Freese, John	2001	0154566	\$44.20
Gilbert, Richard E.	2001	29997	\$3.35
Gillelan, Eddie	1992	31479	\$79.98
Harrison, Charles R.	2001	39343	\$5.16
Holinka, Lisa	2001	0128572	\$62.55
Holloway, Donald	2000/01	0113382	\$62.03
Hoyle, Deborah M.	2001	47628	\$99.50
Huss, Bobby E.	2001	29624	\$9.04
Jarnagin, Merle Joy (Riddle)	2001	18701	\$36.08
Jenkins, Evelyn W.	2001	0118130	\$73.70
Lefevers, Luther	2000	0148222	\$51.61
Lentz, William M. Jr.	2001	15596	\$1.18
McClain, Carlos	2000	0115690	\$9.87
Mitchell, Danny James	2001	0070649	\$2.21
Mitchum, Marion Elizabeth Frye	2000	08361	\$18.80
Money, Charles R.	1999	0115513	\$66.14
Mosteller, Barbara S.	2001	0129599	\$12.38
Professional Medical Billing	2001	0148157	\$55.28
Rodriguez, Jose	2001	0155833	\$80.12
Self, David Lee	2001	03147	\$69.00
Shuford, Jimmy D.	1993	09268	\$42.67
Stilwell, Tim	1998	0125594	\$64.12
Towery, Donald Lee	2001	0098440	\$69.00
Warlick, Mark Wayne	2001	0081851	\$69.00
Watson, Danny	2001	0143125	\$6.64
Weaver, Robert	2000/01	0115635	\$16.61
Wike, Danny Lee	1998-00	48289	\$10.18
Wilkinson, Pamela Nixon	2001	0081534	\$11.79
Williams, Todd	2001	0154744	\$99.22
Willis, W. C.	2001	0145565	\$69.00
		TOTAL	\$1,694.95

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (December 15, 2001 to January 15, 2001)

G.S.#105-381(B) ALL REFUNDS LESS THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Cipolloni, Lorilyn G.	2001	ELFD/ELSD	0114661	\$2.62
Dellinger, Larry B.	2001	CITY	01889	\$70.80
			TOTAL	\$73.42

G.S.#105-381(B) ALL REFUNDS ANNUAL MORE THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Morrison, Maurice K.	1996	CITY	28234	\$344.77
R & K Trucking Inc	2000	NBFD	25847	\$144.47
			TOTAL	\$489.24

G.S.#105-381(B) ALL REFUNDS LESS THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Abernathy, Danny Ray	2001	CITY	0070827	\$2.44
Alexander, Lowell Bryan	2001	DFD/ELSD	0130818-0130459	\$39.33
Biddix, Jack Leroy	2001	UFD	0062898	\$37.59
Bumgardner, Fred Hughes Jr.	2001	ELFD/ESD	0077249	\$7.20
Carpenter, Richard Fay	2001	PCFD	0125261	\$34.02
Chatman, Karen Melissa	2001	BCFD	0136930	\$9.00
Cinema Express Inc	2001	BCFD	26219	\$29.67
Cline, Mary Lou	2001	UFD	04872	\$3.73
Ford, Cheryl Link	2001	BCFD	0145775	\$11.07
Ford CR Mich Titling Trst	2000	ELFD/ELSD	0148867	\$41.35
Gally, Johnnie	2001	CITY	39523	\$9.69
Guinn, Judy Louise	2000	DFD	0070158	\$24.66
Harris, Ronald Ray II	2000	CITY	0070541	\$17.97
Hawn, Jeffrey Todd	2001	UFD	0099284	\$16.26
Herzing, Alice Hasselman	2000	BCFD	0089111	\$7.63
Jordan, Linda H.	2001	ELFD/ELSD	0079422	\$18.77
Lidman, Martha Keener	2001	BCFD	0096363	\$21.84
Lyll, Donald D.	2001	ELFD/ELSD	0121192	\$6.71
Maynard, Steven Lee	2001	AFD	0081947	\$28.74
Mayo, Barbara Jean	2000	HCFD	0116240-0074936	\$41.45
Nelson, Dean E.	2001	HCFD	13287	\$22.96
Parker, Billy Dean	2000	CFD	11006	\$4.25
Patterson, Honee Kathleen	2000	CITY	0147730	\$24.37
Zsambeky, John Sebastian	2001	ELFD/ELSD	0147935	\$63.24
Smith, Mark Holland	2001	NBFD	0131428	\$2.15
Steven H. Reel Logging	2001	PCFD	0128628	\$3.33
Wallace, Jerry Dean	2000-2001	N321FD	0118978	\$11.34
Warren, Gary	2001	PCFD	0123802	\$36.88
			TOTAL	\$577.64

G.S.#105-381(B) ALL REFUNDS MORE THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Dillon, Robert James	2001	DFD	0087295	\$206.27
Rudisill, Lester Ralph	2001-2000	CITY	0069103	\$338.07

TOTAL \$544.34

Water Accounts Requesting Late Pay Penalty Removal

Name	Account #	Adjustment	Reason
Alex Moore	5086201-06	\$5.00	Late Pay Penalty
Hal Lackey	6122961-00	\$10.00	Late Pay Penalty
Turbyfill True Value	6131091-00	\$5.00	Late Pay Penalty

Water Accounts requesting adjustment – September 3 – October 8, 2001

Name	Account #	Adjustment	New Total	Reason	Recommended
Alex Moore	5086201-06	\$139.87	\$77.27	Leak	Yes
Hal Lackey	6122961-00	\$177.40	\$85.24	Vandalism	No
Turbyfill True Value	6131091-00	\$611.57	\$393.88	Leak	Yes
Joyce B. Myers	10225223-00	\$23.81	\$29.60	Toilet running	Yes
Bill Cap	10230291-01	\$7.16	\$52.95	Leak	Yes
Herman Yearwood	100220711-00	\$129.92	\$61.80	No problem detected	No
Noah Lazes	10227062-02	\$1,290.80	\$605.70	Leak	Yes

Budget Adjustment No. 50 to establish expenditure and revenue line items for \$10,000 e-communities Planning Grant.

Budget Adjustment No. 52 by Finance to reduce amount budgeted for Investments earnings to reflect decrease in interest rates as discussed 1/15/2002.

Budget Adjustment No.56 for Social Services to increase expenditure and revenue line items for additional allocation of funds for Crisis Intervention Program (no county funds involved).

Budget Adjustment No. 57 for Social Services to increase expenditure and revenue line items for additional allocation of funds for Child Day Care Program through State funds (no county funds involved).

Budget Adjustment No. 58 for Health Department for state grant for Healthy Carolinians.

Sponsored Group Status

- Macedonia Baptist Church
- Gold Hill Missionary Baptist Church
- Grace Temple Holiness Church

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the Consent Agenda as presented.

Commissioner Craig asked the Water Department to come up with a policy that would help people who have problems, with written criteria. Anything that did not meet the criteria could be denied by staff.

PUBLIC COMMENTS: Chairman Cochrane advised that this was the time the Board of Commissioners would receive comments from the citizens regarding any matter they desired to address.

John Barker stated that he lives in the Forest Oaks Subdivision in Denver. He stated that his property abuts the business park on Townsend Drive. He stated that the owners behind his property have never put up a buffer area. He asked for the Board's help with this matter.

J. C. Beaver stated that he is not treated fairly by Code Enforcement. He asked the Board to look into this matter.

Being no additional speakers, Chairman Cochrane declared the public comments section closed.

Recommendations from the Planning Board from October 10, 2001:

Conditional Use Permit No. 202 – Ronald Downs, Applicant: Randy Hawkins, Zoning Administrator stated that the Planning Board voted unanimously to approve the request with the condition that the home have a 3 X 3 or larger porch instead of steps.

RECOMMENDATION ON FINDINGS OF FACT
FOR A CONDITIONAL USE PERMIT

LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP #202 Date: February 18, 2002

Applicant's Name: Ronald Downs
Address: 1905 Smith Farm Road
Lincolnton, NC 28092

Property Owner's Name: Same

Property Location: Keener Road
Lincolnton, NC

Existing Zoning: R-S

Proposed Conditional Use: Class C mobile home

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.
Factual Reasons Cited: Meets setbacks, located on main highway
2. The use meets all required conditions and specifications.

Factual Reasons Cited: Must meet building codes, planning department specifications.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

Factual Reasons Cited: Neighborhood is similar in character to what applicant is proposing.

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.

Factual Reasons Cited: Will be in harmony with what's already there.

After having held a Public Hearing on 02/04/02 and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Conditional Use Permit No. 202 – Ronald Downs, applicant, based on the Planning Board's recommendation with the condition that the home have a 3 X 3 or larger porch instead of steps.

Chairman
Lincoln County Board of Commissioners

Date

Zoning Map Amendment No. 405 –Jeff Hybarger, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted unanimously to approve the request.

UPON MOTION by Commissioner Craig, the Board voted unanimously to concur with the recommendation of the Planning Board and approve Zoning Map Amendment No. 405 – Jeff Hybarger, applicant.

Zoning Text Amendment No. 407 –Lincoln County, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted unanimously to defer proposal for further study.

Subdivision Ordinance Amendment No. 16 – Lincoln County, applicant: Barry McKinnon stated that the Planning Board voted unanimously to approve the request.

UPON MOTION by Commissioner Choate, the Board voted unanimously to approve Subdivision Ordinance Amendment No. 16, Lincoln County, applicant.

CIS Thank You: Melissa Freeman thanked the Board for their support and presented them with a framed collage with pictures from Communities in Schools.

Economic Development – W. J. Waters: W. J. Waters stated that the last time he was before the Board, he asked the Board not to increase property taxes. He suggested doing that by looking for other sources of revenue and a source of revenue is the sale of alcoholic beverages. He presented the Board with the following Resolution.

**RESOLUTION ON REFERENDUM FOR THE SALE OF ALCOHOLIC BEVERAGES
IN LINCOLN COUNTY**

WHEREAS, Lincoln County needs to increase revenues to fund capital spending projects, public school needs, and services to support population growth, and

WHEREAS, the lack of outlets to sell alcoholic beverages in the county outside the Lincoln city limits causes the taxes on those beverages to go to the surrounding counties; and

WHEREAS, economic development in the county would be enhanced by the availability of outlets for alcoholic beverages;

THEREFORE be it RESOLVED that the Lincoln County Board of Commissioners request that the Lincoln County Board of Elections hold a referendum at the earliest practical time on the following questions:

- 1) Permits to sale at retail malt beverages and wine off premise in the county.
- 2) ABC Stores countywide.
- 3) Permits for the sale of mixed beverages in hotels, restaurants, private clubs, community theatres, and convention centers countywide.

ADOPTED this 18th day of February, 2002.

Jerry W. Cochrane, Chairman Cochrane
Board of County Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

Mr. Waters stated that the procedure would be for the Commissioners to pass a resolution for the sale of alcoholic beverages in Lincoln County and then go to the Board of Elections to ask for a referendum.

Commissioner Anderson presented copies of calculations from Barry Matherly, Executive Director of Economic Development. He stated that from this study, Lincoln County is losing approximately \$29,791,000 to \$34,596,000 annually in foodservice and drinking establishments. This is just one of four categories.

A MOTION by Commissioner Anderson to adopt the Resolution as presented.

Commissioner Saine stated that she feels this is a personal and moral issue that must be decided by the citizens of Lincoln County.

Jeff Taylor stated that if the Board approves this resolution tonight, the law requires that the referendum not be held for at least 60 days, but must be held within 120 days. It cannot be held at the time of a general election during an even numbered year.

Vote: 4 – 1 AYES: Cochrane, Anderson, Choate, Saine
NOES: Craig

Finance Officer's Report: Leon Harmon presented the Finance Officer's Report. He presented a budget performance report through January 2002, which is 58% of the fiscal year. Property taxes show collections of \$17.2 million, an increase of \$3,388,921 from last month and 66% of the year budgeted. This collection rate compares with 68% for the same period last year. Sales tax revenues for the third quarter are \$2.2 million, or 72% of budget. Projected for the rest of the year, we could be about \$380,000 below budget on the sales tax revenue. The Governor has frozen the inventories tax reimbursement for the second half of the year as well as the elderly homestead reimbursements.

Public Hearing for Financing of East Lincoln Library: Leon Harmon stated that the proposal is to finance up to \$700,000, through installment financing, at the rate of 4.75%, for a term of 8 years with First Charter Bank of Lincoln.

Chairman Cochrane opened the Public Hearing for Financing of the East Lincoln Library.

Sylvia Holmes stated that she is currently heading up the fund drive for the furnishings for the East Lincoln Library. She stated that they have received \$137,674 in pledges and have a goal of \$250,000.

Terry Brotherton stated that he is on the Library Committee. He stated that the Committee, Architects, and the low bidder are working very diligently to keep the costs down as much as possible.

Walt Shanklin stated that he is donating this property for the Library project. He stated that he has been working on the project for 2 ½ years.

Being no additional speakers, Chairman Cochrane declared the Public Hearing closed.

RESOLUTION APPROVING FINANCING TERMS

WHEREAS, The Lincoln County (“County”) has previously determined to undertake a project to construct a new branch library in east Lincoln County.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through First Charter Bank, in accordance with the proposal dated February 5, 2002. The amount financed shall not exceed \$700,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.75%, and the financing term shall not exceed 8 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and an Escrow Agreement as First Charter Bank may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. All prior actions of County officers in furtherance of the purposes of this

resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this the 18th day of February, 2002.

Amy S. Long, Clerk

Jerry W. Cochrane, Chairman

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the Resolution Approving Financing Terms.

Road Naming Public Hearing: Chairman Cochrane opened the Public Hearing for Road Naming.

April Nunn submitted the following road names for approval by the Board.

One private road with multiple planned residences is being named.

Maple Ridge Lane South off Maiden Salem Road. A petition was submitted by the property owners to name this road. One new residence is on this road.

Two road names are being submitted for acceptance, to correct GIS centerline information.

Buckler Lane Recorded as Leepers Court, but never used by the residents. This road south off Antler Drive and has four residences.

Collie Lane Recorded as Buck Court, but never used by the residents. This road south off Antler Drive and has five residents.

Being no one wishing to speak, Chairman Cochrane closed the Public Hearing for Road Naming.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the road names as presented.

Funding for Pleasant Retreat Academy (Memorial Hall) – Hazel Andrews: Hazel Andrews gave a report on the progress at the Pleasant Retreat Academy. Ms. Andrews stated that they have exhausted their funds and owe for some work and materials already received. She requested \$10,000 to cover these invoices.

UPON MOTION by Commissioner Craig, the Board voted unanimously to grant this request of \$10,000 to help finalize the restoration of the Pleasant Retreat Academy.

Child Fatality Prevention Team Annual Report: Rhonda Saunders gave the Child Fatality Prevention Team Annual Report. From the time period January, 2001 to December, 2001, the team review 16 child deaths. Ms. Saunders stated that the Child Fatality Team has combined with the Child Protection Team.

Lincoln Natural Resources Committee Report: Sylvia Wallace gave an update on the Lincoln Natural Resources Committee. She stated that they have three vacancies and would like to fill them with representatives from Economic Development, the Chamber of Commerce, and the Board of Realtors.

Vacancies: Commissioner Craig presented the following vacancies.

VACANCIES

Nursing and Adult Care Home Community Advisory Committee 6
Recreation Commission
 Lincolnton Township 1
 Howard's Creek Township 1
Planning Board 1
Lincoln Natural Resources Committee 3 (Realtor, Chamber, EDA)

APPOINTMENTS

Lincoln County Child Fatality/Protection Team

Josh Wagner

Pathways

Wayne Lowe

Planning Board

John F. Pagel

Lincoln County Emergency Services Advisory and Planning Council

Susan Spake - Lincoln County Director of Emergency Management

Leroy Buff - Lincoln County Communications Center Coordinator

Stan Kiser - Lincoln County Manager

Jeff Emory – Lincolnton City Manager

David Carpenter – Lincoln County Sheriff's Department

Terry Burgin – Chief of Lincolnton Police Department

N.C. Highway Patrol Sergeant, Lincoln County

Mike Futrell – Lincoln County Fire Marshal

Greg Huffstetler – President, Lincoln County Firefighter's Association

Don Wise – Chief of Lincolnton Fire Department

Lillian Richardson – Director of Lincoln County School Bus Transportation System

Doug Jolley – Captain of East Lincoln Rescue Squad

Malcolm Gantt – Captain of Lincoln County Lifesaving Crew
Terry Wright – Captain of West Lincoln Rescue Squad
Ron Rombs - Lincoln County Emergency Medical Director
Larry Craig - Board of Commissioners Representative
Sharon Avery – Lincoln Medical Center Representative
Vicki T. Yount – Citizen’s Group Representative
Fred Jarrett, Jr. – Facility Representative
Andie Leatherman – Local News Media Representative
Scott Sneed – Representative of Lincoln County Department of Env. Health
Consultants – Wayne Godfrey
 Kevin Starr
 Maggie Dollar
 Mike Cook

Repappointments

EDA

Jimmy Lail

Historic Properties Commision

David Thompson

Planning Board

Terry Whitener

Gaston Community Action

Rev. Pecolia Ervin

UPON MOTION by Commissioner Commissioner raig, the Board voted unanimously to accept the recommendations for appointments and reappointments.

Calendar: Chairman Cochrane presented the Board’s calendar for March, 2002.

County Commissioner Report: Commissioner Craig stated that Jim Lawing Construction had obtained a building permit on 4/12/01. When he completed the home and came to the Water Department to get his water tap, that is when he realized he had to pay the \$3,000. He says he did not get a letter. The Water Department says that he was sent a letter.

UPON MOTION by Commissioner Craig, the Board voted unanimously to grant Mr. Lawing an exemption.

Chairman Cochrane asked Steve Gilbert for a list of the letters sent that were not responded to.

County Manager’s Report: Stan Kiser, County Manager, presented the County Manager’s Report.

County Attorney's Report: Jeff Taylor gave the Board an update on the County Attorney's School he attended.

Mr. Taylor stated that in talking with Erma Deen Hoyle, the equipment at the Oaklawn School property does not meet the current standards on safety and are a liability to the County at this point. These need to be moved and a method needs to be provided for disposition. He recommended that the Board needs declare it surplus and authorize the County Manager and Erma Deen Hoyle to determine an appropriate method to dispose of it. He stated that they would like to keep the swings on the property.

A MOTION by Commissioner Choate to declare the equipment surplus and authorize the sale or disposal of the playground equipment at Oaklawn, except for what they want to keep.

Commissioner Craig stated that his concern is that this may set a precedence. He suggested selling the equipment with sealed bids.

Commissioner Choate restated his motion to say:

A MOTION by Commissioner Choate to declare the equipment surplus and authorize the sale or disposal of the playground equipment at Oaklawn, except for what Recreation wants to keep, with an informal bid process.

VOTE: Unanimously approved.

Mr. Taylor gave an update on the agreement with Heater Utilities. He stated that the changes have been taken to Heater's attorneys and are still there.

Mr. Taylor also gave an update on the tax foreclosures. He stated that Madge Huffman will be on the next meetings agenda to give a report

Chairman Cochrane asked for a written report on foreclosures periodically.

Adjourn: UPON MOTION by Commissioner Craig, the Board voted unanimously to adjourn the meeting.

Amy S. Long, Clerk to the Board

Jerry W. Cochrane, Chairman

