

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JUNE 17, 2002**

The Lincoln County Board of County Commissioners met in regular session on June 17, 2002 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:00 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.

**Adoption of Agenda:** UPON MOTION by Commissioner Craig, the Board voted unanimously to adopt the agenda adding Budget Adjustment No. 112, Fire Ordinance Fees, and Bill Duston for Highway 73 Presentation.

**AGENDA**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**JUNE 17, 2002**

- |    |         |   |
|----|---------|---|
|    | 7:00 PM | Call to Order   |
| 1. | 7:01 PM | Adoption of Agenda  |
| 2. | 7:02 PM | Approval of Minutes<br>- June 3, 2002   |
| 3. | 7:05 PM | Consent Agenda<br>- Tax Requests for Releases<br>Less than \$100 – April 16 – May 15, 2002<br>More than \$100 – April 16 – May 15, 2002<br>- Tax Requests for Refunds<br>Less than \$100 – April 13 – May 17, 2002<br>More than \$100 – April 13 – May 17, 2002<br>- Budget Adjustments 133 - 148 |

4. 7:10 PM Public Comments
5. 7:25 PM Recommendations from Planning Board from June 3, 2002
  - Zoning Map Amendment No. 415 – Kenneth Mundy, Ronald Crane, Betty Carpenter, Susan Harrison, Edward Coker, Brian Walker, Joel Benton Barker, Joel Bradley Barker, Hollis Hamilton, Kenneth Tucker, Raymond Hoover, and Robin Hoover, applicants
  - Parallel Conditional Use Rezoning No. 86 – John Flowers, Jr., applicant.
  - Zoning Map Amendment No. 416 – Boyd Dellinger, Walter Blair Dellinger, Lois Dellinger, Joseph Howard, Steven Schronce, Helen Turbyfill, James Snuffer, Mihail Pitsikoulis, James Cash, James Rich, Christine Brown, Darlene Banis, Linda Bryson, Ed Page Dellinger, Jerry Dellinger, Henry Coleman Dellinger, Kemp Dellinger, and Burgin Goodson, applicants.
  - Zoning Map Amendment No. 417 – Gates Realty & Auction, applicant.
  - Conditional Use Permit No. 203 – David Wilson, DVM, applicant.
  - Zoning Map Amendment No. 418 – David Curtis Family Limited Partnership, applicant.
  - Zoning Text Amendment No. 419 - Lincoln County, applicant.
  - Parallel Conditional Use Rezoning No. 85 – Mickey Jo Read, applicant.
  - Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant.
6. 8:00 PM New Lincoln County EMS Facility Bids – Ron Rombs
7. 8:15 PM Update on Foreclosures – Madge Huffman
8. 8:30 PM NCDOT Enhancement Program – Ramsour’s Mill Battle Site – Audrey Setzer
9. 8:40 PM Retirement Procedures – Commissioner Larry Craig
10. 8:50 PM Finance Officer’s Report – Leon Harmon
11. 9:00 PM Update on Capital Project Reports – Steve Gilbert
12. 9:10 PM Update on Ken Scronce
13. 9:20 PM Vacancies

- 14. 9:25 PM Appointments
- 15. 9:30 PM Calendar
- 16. 9:35 PM County Commissioners' Report
- 17. 9:45 PM County Manager's Report
- 18. 9:55 PM County Attorney's Report
- 19. 10:05 PM Other Business

Adjourn

**Approval of Minutes – June 3, 2002:** Chairman Cochrane presented the minutes of the June 3, 2002 meeting for the Board's approval.

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the minutes as presented.

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

**Requests for Releases – April 16 – May 15, 2002**

| <b>NAME</b>                | <b>YEAR</b> | <b>A/C NO</b> | <b>AMOUNT</b> |
|----------------------------|-------------|---------------|---------------|
| Alexander, Scott George    | 2001        | 0086211       | \$128.77      |
| Benson, Jeremy Paul        | 2001        | 0113178       | \$123.71      |
| BR Lee Products Inc        | 2001        | 0147184       | \$163.07      |
| Cornelius, Kenny June      | 2001/02     | 0084111       | \$514.87      |
| Dula, Penny Lee            | 2001        | 0154103       | \$111.15      |
| First Presbyterian Church  | 2001        | 33573         | \$236.59      |
| Folger Leasing Co.         | 2002        | 0088196       | \$163.09      |
| Goins, Patricia White      | 2001        | 0104261       | \$108.54      |
| Green, Johnnie V.          | 2001        | 31554         | \$259.24      |
| Howse, Richard Alan        | 2001        | 0149457       | \$110.03      |
| Jordan, Marsha Hosey       | 2001        | 0116692       | \$204.45      |
| Lincoln Center for Women's | 2001        | 0128453       | \$119.66      |
| Moore, Michael Craig       | 2001        | 0075798       | \$105.29      |
| Norwood, Gary Wayne        | 2001        | 0095418       | \$203.00      |
| Rada, Ken M.               | 2001        | 29479         | \$183.94      |
| Reinhardt, Debra Eaker     | 2001        | 0157556       | \$145.61      |

|                           |      |              |                   |
|---------------------------|------|--------------|-------------------|
| Rudisill, Denise Brittian | 2001 | 0116415      | \$162.02          |
| Simmons, Maurice Redell   | 2001 | 0094441      | \$124.35          |
| Story, Harold Kenneth     | 2001 | 36119        | \$121.56          |
| The New Millennium Group  | 2000 | 0143449      | \$100.82          |
|                           |      | <b>TOTAL</b> | <b>\$3,389.76</b> |

| <b>NAME</b>                 | <b>YEAR</b> | <b>A/C NO</b> | <b>AMOUNT</b> |
|-----------------------------|-------------|---------------|---------------|
| Able Service Group          | 2001        | 0134080       | \$16.41       |
| Adams, Howard Lee           | 2001        | 0117307       | \$15.58       |
| Anthony & Son Builders      | 2001        | 24279         | \$38.23       |
| B P Drainage Works Inc.     | 2001        | 0136402       | \$84.70       |
| Baker, Jeffrey James        | 2001        | 0137194       | \$9.99        |
| Bean, Brenda G.             | 2001        | 18296         | \$10.61       |
| Beehner, Stephen John       | 2001        | 0106755       | \$10.96       |
| Blankenship, Debra Lee      | 2001        | 0157929       | \$4.33        |
| Bogan, Floyd Donald         | 2001        | 0094681       | \$31.52       |
| Bradshaw, John Daniel       | 2001        | 0158059       | \$85.43       |
| Burris, Lavinia Rudisill    | 2001        | 0078547       | \$77.60       |
| Canales-Porras, Marco Tulio | 2001        | 0146948       | \$13.06       |
| Carolina Cross Connection   | 2001        | 0074605       | \$36.94       |
| Carswell, Allen Dale        | 2001        | 0121557       | \$18.80       |
| Catawba Rental Co.          | 2001        | 24510         | \$77.41       |
| Cate, Peggy Kaufman         | 2001        | 0120632       | \$37.66       |
| Caudill, Daniel Houston     | 2001        | 0102098       | \$14.44       |
| Clary, Michael Lawrence     | 2001        | 0092949       | \$16.26       |
| Collins, Linda Ward         | 2001        | 0158213       | \$28.32       |
| Connor, Shirley Polhill     | 2001        | 0091873       | \$89.44       |
| Cook, Kathy Spradley        | 2001        | 0158014       | \$13.58       |
| Coulter, Laurie Anderson    | 2001        | 0071514       | \$3.31        |
| Counce, Michelle Lynn       | 2001        | 0157519       | \$50.27       |
| Crews, Joseph Edward        | 2001        | 0130206       | \$11.94       |
| Cruz, Martin Charco         | 2001        | 0145222       | \$17.78       |
| Davis, Gerald               | 2001        | 03308         | \$5.75        |
| Diehl, G. Scott             | 2001        | 0081021       | \$23.39       |
| Duncan, Paul Edmond         | 2001        | 0080495       | \$42.75       |
| Eaglewood, Inc.             | 2001        | 0065319       | \$81.88       |
| Farmer, Cathi Elaine        | 2001        | 0137595       | \$97.35       |
| Felts, Steve Barry          | 2001        | 0157410       | \$10.94       |
| Forrester, Doris B.         | 2001        | 0123874       | \$49.31       |
| Fowler, Jeffrey Wayne       | 2001        | 0086243       | \$6.43        |
| Francis, Arthur V. III      | 2001        | 0155994       | \$1.51        |
| Freeman, Raymond Lee        | 2001/02     | 0138812       | \$49.71       |
| Gale, David E.              | 2001        | 0119229       | \$72.03       |

|                             |      |         |         |
|-----------------------------|------|---------|---------|
| Garmon, Hal P. IV           | 2002 | 0123287 | \$35.33 |
| Gonzalez, Silvia M.         | 2001 | 0145650 | \$14.09 |
| Goodson, Michael Lee        | 2001 | 0101387 | \$54.49 |
| Grant, Charles Clayton      | 2001 | 0125871 | \$71.65 |
| Greene, Marc Trenton        | 2001 | 0135355 | \$23.13 |
| Hall, Ann Houck             | 2001 | 0152848 | \$36.30 |
| Hanks, Charles Benjamin IV  | 2001 | 0116859 | \$7.93  |
| Henderson, Hollis Carlton   | 2001 | 0097616 | \$39.53 |
| Herrera, Vicente Arturo     | 2001 | 0153812 | \$25.28 |
| Hinson, Brady Jason         | 2002 | 0076244 | \$23.42 |
| Hoke, Barbara Harrell       | 2001 | 0121428 | \$37.60 |
| Holt, Barry Ray             | 2002 | 0069768 | \$55.12 |
| Hopper, Joe Harold          | 2001 | 0107354 | \$34.95 |
| Houser, Brandi Leigh        | 2001 | 0153616 | \$8.85  |
| Hunt, Timothy N.            | 2001 | 0125459 | \$25.56 |
| James, Stephen Lee          | 2000 | 0129796 | \$53.33 |
| Jenkins, Lee Junior         | 2001 | 07545   | \$85.36 |
| Jones, Brenda Eurey         | 2001 | 0158285 | \$12.49 |
| Karnes, Rodney Lee          | 2001 | 0147875 | \$97.35 |
| Keith Heavner Construction  | 2002 | 0139007 | \$50.49 |
| Kistler, William Yates      | 2001 | 0086073 | \$29.36 |
| Kulas-Seelman, Denise Marie | 2001 | 0098045 | \$23.66 |
| Kyles, Teresa Moore         | 2001 | 0153111 | \$31.99 |
| Ledford, Jan Devenney       | 2001 | 0066362 | \$61.02 |
| Lord, Carl Lamar Jr.        | 2001 | 0127932 | \$1.29  |
| Lowe, Suzie Byrd            | 2001 | 0158185 | \$51.43 |
| Marlowe, Darren Keith       | 2001 | 0112874 | \$63.44 |
| Martin, James Edward        | 2001 | 0080132 | \$16.69 |
| Martin, Judy Christine      | 2001 | 0074699 | \$7.19  |
| McCarthy, Stephen Ross      | 2001 | 0158169 | \$35.82 |
| McCorkle, Sammy D.          | 2001 | 17057   | \$16.52 |
| Michael, Harold Daniel      | 2001 | 0146262 | \$9.48  |
| Mireles, Patricia Chapman   | 2001 | 0116200 | \$24.25 |
| Mitchem, Tina Michael       | 2001 | 0125928 | \$11.48 |
| Moore, Alvah Dewayne        | 2001 | 0078882 | \$14.27 |
| Moretz, James Edward        | 2001 | 0066615 | \$57.73 |
| Mullen, Richard Scott       | 2001 | 0079300 | \$22.74 |
| Newsome, Randall B.         | 2001 | 0150411 | \$19.85 |
| Odell, Pauline Schrum       | 2001 | 0071089 | \$19.39 |
| Oldham, Clarence E.         | 2001 | 10865   | \$2.15  |
| Owens, Todd W.              | 2001 | 10942   | \$5.35  |
| Packaging Unlimited of NC   | 2002 | 0064933 | \$30.23 |

|                                 |      |              |                   |
|---------------------------------|------|--------------|-------------------|
| Plummer, David Anthony          | 2001 | 0103232      | \$13.47           |
| Plunkett, Michael Ray           | 2001 | 0071268      | \$6.47            |
| Poinsette, Joel J.              | 2001 | 0138135      | \$8.76            |
| Poole, Donald Dean              | 2001 | 13915        | \$72.13           |
| Poteat, Larry Woodrow Jr.       | 2002 | 0072442      | \$63.51           |
| Prater, Phillip Eugene          | 2001 | 0097958      | \$43.67           |
| Professional Errand Services    | 2001 | 0156266      | \$84.53           |
| Reynolds, Raymond Samuel        | 2001 | 0103593      | \$13.47           |
| Ruff, Jessie Kidd               | 2001 | 0096361      | \$15.33           |
| Self, David Bernard Jr.         | 2001 | 0066731      | \$53.92           |
| Shepard, Charles Richard        | 2001 | 0066201      | \$26.38           |
| Sifford, Stephen Dennis         | 2001 | 46688        | \$3.35            |
| Smallwood, John Ellis           | 2001 | 0128976      | \$82.42           |
| Smith, Gary                     | 2001 | 10166        | \$9.83            |
| Spake, Karen H.                 | 2001 | 0148650      | \$6.88            |
| Stamey, Bill Steele Jr.         | 2001 | 0158028      | \$58.76           |
| Steele, Cynthia                 | 2001 | 0110788      | \$17.88           |
| Stoner, James Everette III      | 2001 | 0122971      | \$13.52           |
| Storey, David Samuel            | 2002 | 0098206      | \$58.19           |
| Story Custom Homes Inc.         | 2001 | 0065194      | \$5.10            |
| Strange, Kerry Cash             | 2001 | 0080599      | \$51.01           |
| Suttles, Shaun Donald           | 2001 | 0148389      | \$76.65           |
| Swink, Kathleen Bruton          | 2001 | 0145034      | \$7.34            |
| Thomas, Joe B.                  | 2001 | 0118091      | \$21.77           |
| Thompson, Dale Vernard          | 2001 | 0149402      | \$8.85            |
| Turner, Freddie Lewis           | 2001 | 08817        | \$6.96            |
| Turner, Linzy Denver            | 2001 | 0157546      | \$31.75           |
| Valley National Financial Serv. | 2001 | 0087900      | \$20.06           |
| Whiteside, Emily Gillette       | 2001 | 0158148      | \$6.57            |
| Wilkins, Claude Windell         | 2001 | 0083741      | \$87.15           |
| Wilson, Roger Dale              | 2002 | 0158324      | \$99.80           |
| Wilson, Wavie Lynn              | 2001 | 0074578      | \$10.74           |
| Wise, Robert John               | 2001 | 0156201      | \$33.77           |
| Wyatt, Melva Jean               | 2001 | 0102308      | \$10.19           |
| Zientek, Thomas Joseph          | 2001 | 0108378      | \$14.21           |
|                                 |      | <b>TOTAL</b> | <b>\$3,747.59</b> |

| <b>NAME</b>               | <b>YEAR</b> | <b>A/C NO</b> | <b>AMOUNT</b> |
|---------------------------|-------------|---------------|---------------|
| Anderson, Nathan III      | 2001        | 0095695       | \$131.19      |
| Barger, Kenneth Lee       | 1995-01     | 0060143       | \$438.87      |
| Carpenter, Charles Eugene | 2000/01     | 11565         | \$270.60      |
| Freeman, Raymond Lee      | 2001        | 0074944       | \$160.13      |
| Gales, Billy Ray          | 2001        | 0105654       | \$147.40      |

|                           |         |              |                   |
|---------------------------|---------|--------------|-------------------|
| Grooms, Christine         | 2001    | 0136820      | \$108.26          |
| Quinn, Robert B.          | 2001    | 20578        | \$108.24          |
| Reel, Herschel            | 1999-01 | 14350        | \$177.41          |
| Rodgers, Exodus           | 2001    | 0099954      | \$1,645.36        |
| Tree Brand Packaging Inc. | 2001    | 0088291      | \$471.18          |
| Watson, Sammy             | 1999    | 0140636      | \$197.79          |
|                           |         | <b>TOTAL</b> | <b>\$3,856.43</b> |

| NAME                 | YEAR    | A/C NO       | AMOUNT          |
|----------------------|---------|--------------|-----------------|
| Arthur, Jeffrey Alan | 2001    | 0087786      | \$39.29         |
| Drye, Mark W.        | 2001    | 41877        | \$9.59          |
| Gaida, George        | 2000/01 | 0089352      | \$21.49         |
| Schronce, Timothy D. | 2001    | 0119211      | \$72.34         |
| Smith, Anderson R.   | 2001    | 16427        | \$9.92          |
| Unicon Concrete LLC  | 1999/00 | 0121234      | \$71.67         |
|                      |         | <b>TOTAL</b> | <b>\$224.30</b> |

LINCOLN COUNTY TAX DEPARTMENT  
**REQUEST FOR REFUNDS**  
 ANNUALS

PERIOD COVERED (April 13, 2002 to May 17, 2002)

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

| NAME            | YEAR | DIST | A/C#         | AMOUNT          |
|-----------------|------|------|--------------|-----------------|
| Rodgers, Exodus | 2001 | AFD  | 0099954      | \$217.12        |
|                 |      |      | <b>TOTAL</b> | <b>\$217.12</b> |

LINCOLN COUNTY TAX DEPARTMENT  
 MOTOR VEHICLES

**REQUEST FOR REFUNDS**

PERIOD COVER (April 13, 2002 to May 17, 2002)

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

| NAME                       | YEAR | DIST     | A/C#    | AMOUNT  |
|----------------------------|------|----------|---------|---------|
| Allran, Lena Travis        | 2001 | CITY     | 0079760 | \$11.60 |
| Beam, Paul M.              | 2001 | NBFD     | 00799   | \$13.07 |
| Begley, Paul M.            | 2001 | DFD/ELSD | 0146790 | \$18.15 |
| Bentley, Thomas Richard    | 2001 | CITY     | 0104982 | \$80.39 |
| Boggs, Lori Jenkins        | 2001 | DFD      | 0090675 | \$35.54 |
| Conrad, Chad Ryan          | 2001 | BCFD     | 0116649 | \$34.43 |
| Conrad, Randy Kendall      | 2001 | BCFD     | 0085937 | \$10.05 |
| Dalrymple, Fred Mciver Jr. | 2001 | BCFD     | 0099537 | \$1.29  |
| Dawkins, Joe Louis Jr.     | 2001 | PCFD     | 0106046 | \$3.05  |

|                             |      |           |         |                 |
|-----------------------------|------|-----------|---------|-----------------|
| Finger, Herbert Hoover Jr.  | 2001 | N321FD    | 0100024 | \$2.65          |
| Hartman, Robert William Jr. | 2001 | ELFD/ELSD | 0129733 | \$76.83         |
| Hovis, Gale Leonhardt       | 2001 | CITY      | 07372   | \$6.40          |
| Kuhn, Mark Allen            | 2001 | BCFD      | 0107059 | \$42.05         |
| Leatherman, Lamont Edwin    | 2001 | CITY      | 0066315 | \$5.02          |
| Martin, Jeffrey Scott       | 2001 | DFD       | 0128322 | \$35.01         |
| McAlpine, Randy Lee         | 2001 | PCFD      | 0138682 | \$3.68          |
| Moore, Jack Cathey II       | 2001 | DFD       | 0125973 | \$17.51         |
| Pate, Susan Graham          | 2001 | DFD       | 0125543 | \$17.41         |
| Rhyne, Lisa Dawn            | 2001 | N321FD    | 0155566 | \$28.62         |
| Willis, Rodney Alex         | 2001 | NBFD      | 0061593 | \$11.75         |
| Woody, Opaline Waldroup     | 2001 | N321FD    | 0079935 | \$7.52          |
| <b>TOTAL</b>                |      |           |         | <b>\$462.02</b> |

Budget Adjustment No. 133 by Finance to transfer \$112,900 from General Fund to CIP Fund to cover engineering cost of sewer line to North Lincoln High School.

Budget Adjustment No. 134 by Finance to budget additional \$300,000 to school capital outlay for roof repairs at Lincoln Middle School.

Budget Adjustment No. 135 by Finance to cover \$30,000 for legal expenses for the year.

Budget Adjustment No. 136 by Finance to increase MIS budget to cover cost of personnel, D.P. supplies, contract services.

Budget Adjustment No. 137 by Finance to budget more of E 911 funds to cover expenses.

Budget Adjustment No. 138 by Finance to cover expense February housing juveniles and supplies for jury notices.

Budget Adjustment No. 139 by Finance to budget school bond fund for three projects to cover expenses in current year.

Budget Adjustment No. 140 by Finance to transfer \$400,000 of capacity Development Fees into Water Capital Projects Fund.

Budget Adjustment No. 141 by Finance to transfer \$1,000,000 from East Lincoln Sewer District operating fund 62 to East Lincoln Sewer Dist. Capital Improvement Fund for future capital projects.

Budget Adjustment No. 142 by EMS due to an increase in expenditures that has been attributed to an increase in call volume, an increase in QRV positions, major repairs on older apparatus, and results of Sept. 11<sup>th</sup>. A dramatic increase in revenues also caused an increase in expenditures.

Budget Adjustment No. 143 by Register of Deeds to increase to cover overages in REVENUE and overages in Expense Accounts as a result of increased revenue.

Budget Adjustment No. 144 by the Health Department for Medicaid monies to be spent in the programs which earned them, to purchase EKG machine and other clinical equipment as needed, and unspent monies to be rolled over – Medicaid max.

Budget Adjustment No. 145 by the Health Department for Medicaid Maximization monies to be spent in the programs which earned them.

Budget Adjustment No. 146 by the Health Department for WIC Federal Funds to be spent in the program for additional supplies needed.



Budget Adjustment No. 147 by the Health Department for Environmental Health Funds to be spent toward cost of imaging files.

Budget Adjustment No. 148 for Senior Services for NCDOT funds for vans & technology purchase.

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

**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.

Being no one wishing to speak, Chairman Cochrane declared the public comments section closed.

**Recommendations from the Planning Board from May 6, 2002:**

**Zoning Map Amendment No. 415 – Kenneth Mundy, Ronald Crane, Betty Carpenter, Susan Harrison, Edward Coker, Brian Walker, Joel Benton Barker, Joel Bradley Barker, Hollis Hamilton, Kenneth Tucker, Raymond Hoover, and Robin Hoover, applicants:** Randy Hawkins stated that the Planning Board voted 4 – 1 to table the request for one month to consider criteria for evaluating such rezoning requests.

**Parallel Conditional Use Rezoning No. 86 – John Flowers, Jr., applicant:** Randy Hawkins stated that the Planning Board voted 5 – 0 to recommend approval with the conditions that the mobile home be removed within 12 months and that the property revert back to R-SF.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to allow the rezoning.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to accept the findings of fact as presented by the Planning Board.

|                          |   |      |         |
|--------------------------|---|------|---------|
| Application #            | PCUR #86                                  | Date | 6/17/02 |
| Applicant's Name         | John Flowers, Jr.                         |      |         |
| Applicant's Address      | 4521 Coachwood Lane<br>Gastonia, NC 28056 |      |         |
| Property location:       | Abernathy Farm Road, Vale                 |      |         |
| Existing Zoning          | R-SF                                      |      |         |
| Proposed Conditional Use | Class C Singlewide mobile home            |      |         |

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES  NO   
Factual Reasons Cited: Will not endanger public health or safety.
2. The use meets all required conditions and specifications. YES  NO   
Factual Reasons Cited: Meets all required conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES  NO   
Factual Reasons Cited: Won't injure property value, mobile home will be removed.
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. YES  NO   
Factual Reasons Cited: Based on testimony at hearing.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to grant the Parallel Conditional Use Rezoning as requested with the conditions that the mobile home be removed within 12 months (from the date granted) and that the property revert back to R-SF.

**Zoning Map Amendment No. 416 – Boyd Dellinger, Walter Blair Dellinger, Lois Dellinger, Joseph Howard, Steven Schronce, Helen Turbyfill, James Snuffer, Mihail Pitsikoulis, James Cash, James Rich, Christine Brown, Darlene Banis, Linda Bryson, Ed Page Dellinger, Jerry Dellinger, Henry Coleman Dellinger, Kemp Dellinger, and Burgin Goodson, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 4 – 1 to table request for one month to consider criteria for evaluating such rezoning requests.

**Zoning Map Amendment No. 417 – Gates Realty & Auction, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to accept the Planning Board's recommendation and approve Zoning Map Amendment No. 417 – Gates Realty & Auction, applicant.

**Conditional Use Permit No. 203 – David Wilson, DVM, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

Application #      CUP #203                      Date    6/17/02

Applicant's Name David Wilson, DVM

Applicant's Address 1269 Hwy 16 N  
Denver, NC 28037

Property location: Hwy 73

Existing Zoning: B-G

Proposed Conditional Use Animal Kennel

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES  NO\_\_  
Factual Reasons Cited: Will not endanger public health or safety.
2. The use meets all required conditions and specifications. YES  NO \_\_  
Factual Reasons Cited: Kennel area to be below grade.
5. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES  NO\_\_  
Factual Reasons Cited: Won't injure property value.
6. 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. YES  NO\_\_  
Factual Reasons Cited: Based on testimony and other evidence.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to concur with the findings of the Planning Board .

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Conditional Use Permit No. 203.

**Zoning Map Amendment No. 418 – David Curtis Family Limited Partnership, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve Zoning Map Amendment No. 418 – David Curtis Family Limited Partnership, applicant.

**Zoning Text Amendment No. 419 – Lincoln County, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

Commissioner Anderson asked about the formula for the traffic impact study.

Mr. Hawkins stated that there will be amendments at a later date concerning the traffic impact study and public works.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Zoning Text Amendment No. 419 – Lincoln County, applicant.

**Parallel Conditional Use Rezoning No. 85 – Mickey Jo Read, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted unanimously to table the request for another 30 days to get signed document from property owners.

**Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval. The developers plan to have deed restrictions, with a minimum lot size of 3 acres. Mr. Hawkins stated that their department will keep an eye on this.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant.

**New EMS Facility Bids – Ron Rombs:** Ron Rombs and Ken Newell presented the bids for the new EMS Facility. The lowest multi-prime bids came in at \$996,307.80. The lowest Single-Prime Bid was \$1,003,000. The total bid includes construction cost for the base facility, the classroom, and the third bay.

Mr. Newell stated that it is typically easier with a single-prime bid. The difference in single-prime and multi-prime is \$6,000. The building will be completed in ten months.

The Board discussed the advantages of having a single-prime bid over a multi-prime.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the bid of \$1,003,000.00 by A. A. Ramsey & Son, Inc.

**Update on Foreclosures:** Madge Huffman, Tax Administrator, presented an update on foreclosures. Of the original 130 pre-foreclosure letters mailed April 2, 2001, the following has taken place: forty-two accounts have paid in full, twelve accounts have made partial payments, and thirty-one accounts have been given to the County Attorney.

Of these thirty-one, one account filed for bankruptcy, seven accounts paid in full, five accounts made partial payments, and foreclosure has been filed for seven real estate parcels (6 accounts). Forty-five accounts did not respond.

The beginning delinquent taxes due for the 130 accounts on April 2, 2001 was \$345,885 and the current delinquent taxes due for these accounts on June 13, 2002 is \$274,430. These amounts include penalties and interest.

For the January 8, 2002 mailing of 217 Attorney Pre-foreclosure letters, eighty-five have paid in full and forty-four have made partial payments.

There are forty-one accounts that have 1992 real estate property tax outstanding and on September 1, 2002 we can no longer proceed and force collection remedies. All collection remedies have been exhausted and the only option now is foreclosure.

Jeff Taylor, County Attorney, stated that seventeen foreclosures have been filed. The Hurt property has been foreclosed on.

Ms. Huffman stated that other counties have started seeking other attorneys, free of charge to the county, collecting fees only from the money collected.

Mr. Taylor stated that the local Bar Association meets this week and he will put this on the table to see if there is any interest. He stated that he will report back to the Board by the 2<sup>nd</sup> meeting in July.

Chairman Cochrane called for a short recess.

Chairman Cochrane called the meeting back to order.

**NCDOT Enhancement Program – Ramsour’s Mill Battle Site:** Audrey Setzer, Special Projects Coordinator, stated that at the May 20, 2002 Board of Commissioners meeting, the Board authorized staff to prepare a grant application for the Ramsour’s Mill Battle Site project to be submitted to the NCDOT Enhancement Program.

The project will target the beginning of development of parking, trails, and signage for the battle site. Staff was asked to look at restoration of the cabin that is there, but the cabin itself is not directly related to transportation. In the grant a six-space parking lot at the entrance of the cabin site was included. The entrance and trails are also included, as well as a parking lot map. Signage would also be included in this.

Commissioner Craig stated that funds have been set aside to establish trails there and the money is in hand in the Historic Properties budget that could be used for matching funds.

Tom Howard, Chairman of the Historic Properties Commission, stated that he supports that idea.

**UPON MOTION** by Commissioner Craig, the Board approved the request for \$45,000 and to allow a \$9,000 local match from the Historical Properties Fund that was established for trail making.

**Highway 73 Presentation:** Bill Duston and Rebecca Yarbrough, with Centralina Council of Government, presented information concerning a NC 73 Corridor Land Use and Transportation Study. The desired end-product of this study will be a plan, tailored to serve the needs of local governments and their constituents, that offers a “toolbox” of

land use and transportation best management practices that could be employed along the Corridor that jointly promote the safe and orderly development of the Corridor. There have been discussions with DOT about this and there appears to be significant funding available. DOT is willing to kick in money if each government entity contributes \$10,000.

Ms. Yarbrough encouraged the Board to contact local legislators and let them know that they support this project. She stated that the figure \$10,000 has been batted around, but she does not know if it has to be cash or if it can be staff services, etc.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to support the Corridor 73 Transportation Study.

**Retirement Procedures:** Commissioner Larry Craig presented the following information.

#### Recognizing Retiring County Employees

A. All Retiring County Employees

1. All retiring part-time and full-time county employees be recognized and honored at the County's annual Employee Appreciation Luncheon.
2. Employees, part-time and full-time, with a minimum of five (5) years service, be presented with a clock/plaque commemorating the employee's service at the annual Employee Appreciation Luncheon.

B. Retiring Department Heads

1. At actual time of retirement, the retiring employee's department may host a farewell luncheon or reception for the retiring department head at the department's expense.

C. Retiring Non-Department Heads

1. At actual time of retirement, the retiring employee's department may host a farewell reception for the retiring employee at the department's expense.

Commissioner Craig made a motion to accept this policy.

There was a discussion about the receptions or luncheons being at employee expense, not county expense. There was also a discussion about giving more to long-term employees.

Commissioner Craig withdrew his motion.

It was decided that this policy would be reworded and brought back by the next meeting.

**Finance Officer's Report:** Leon Harmon gave the Finance Officer's Report, stating that May is 92% of the fiscal year. Property taxes, current year taxes show collections of \$25.5 million for the period July through May, an increase of \$514,012 from last month and 98% of the current year budgeted revenue.

Sales taxes revenues have been received for all of the year. The total amount of sales taxes under budget for the year is \$437,191, which is 5% of the total amount budgeted. This loss is being made up in other revenues.

Register of Deeds has exceeded budgeted revenues by \$145,585. Building and Land Development has exceeded revenues by \$223,183.

Emergency Ambulance was budgeted at \$800,000 actual revenues through May were \$953,586, with \$242,055 being collected in May – an increase of almost three times the normal monthly revenue.

The Health and Social Services Departments are in line with their budgets. Health has revenues of 93% and expenses of 79%.

For the month of May, revenues for the General Fund have increased to 87% of budget and expenses are 77% of budget.

Fund 61 Water Fund, revenues are at 105% of budget with expenses at 55%. Water sales are 99% and tap fees are 149% of budget. The water capacity development fee, which was instituted earlier this year, has generated \$359,807.

Fund 62 East Lincoln Water and Sewer District – revenues are at 106% and expenses are 84% of budget. Sewer tap fees are down at \$462,473 or 75% of budget, but are being made up by sewer fees, which are \$926,143 or 163% of budget.

Fund 66 Landfill Fund, revenues are 96% and expenses are 49% of budget. Tipping fees are 100% and availability fees are 98% of budget.

Mr. Harmon presented the following resolution for the Board's approval, which would increase the fixed asset capitalization amount for financial reporting to \$5,000.

**RESOLUTION TO INCREASE FIXED ASSET  
CAPITALIZATION AMOUNT**

**WHEREAS,** Lincoln County owns a number of fixed assets, including land, buildings, vehicles and equipment,

**WHEREAS,** Lincoln County is responsible for keeping accurate records of fixed assets owned by the County,

**WHEREAS**, Lincoln County currently capitalizes fixed assets, as items costing \$1,000 or more and having a useful life of more than two years,

**WHEREAS**, It has been the recommendation of the Government Finance Officers Association to increase the capitalization for financial reporting to \$5,000,

**WHEREAS**, Government Accounting Standards Board statement 34 will require that fixed assets be depreciated for financial reporting,

**THEREFORE BE IT RESOLVED**, that the capitalization of all fixed assets, for financial reporting, owned by Lincoln County shall be increased from the current \$1,000 to \$5,000 per asset.

Adopted this 17<sup>th</sup> day of June, 2002.

ATTEST:

\_\_\_\_\_  
Jerry W. Cochrane, Chairman  
Lincoln County Board of Commissioners

\_\_\_\_\_  
Amy S. Long, Clerk to the Board

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to adopt the Resolution.

**Update on Ken Scronce:** Jeff Taylor presented the following proposed amendment to Hospitalization Insurance/Continuation at Retirement Policy.

**PROPOSED AMENDMENT TO HOSPITALIZATION INSURANCE/  
CONTINUATION AT RETIREMENT POLICY**

Section 2.0 would be amended to read as follows:

The County of Lincoln shall continue individual hospital insurance to its employees upon retirement, provided all of the following qualifications are met:

- (a) The employee is occupying a full-time or part-time budgeted position at the time of retirement;
- (b) The employee has completed a minimum of twenty (20) years of service with Lincoln County;
- (c) The employee is eligible to retire with the Local Government Employees Retirement System with a minimum of 20 years.



**Special rules applicable to employees of Lincoln County Emergency Medical Services:**

**For purposes of meeting requirement (b) above, the employee may count years of continuous service to Emergency Medical Services during the years when it was operated by the various entities know as Lincoln County Hospital, Lincoln Health System, and/or Lincoln Medical Center. Requirement (c) shall not apply to employees of Lincoln County Emergency Medical Services who attained 20 years of continuous service under (b) on or prior to June 1, 2002.**

**Section 5.1 is amended to read as follows:**

**Except as otherwise provided in Section 2.0,** employees who retire with the LGERS from a full-time budgeted position with 20 or more years of service with Lincoln County will be eligible for the County to continue individual hospital insurance. This special rule shall expire 10 years from date of adoption.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the amendment.

**Fire Ordinance Fees:** Mike Futrell presented a recommendation of reduced fees in the Fire Ordinance.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to adopt the new fee schedule.

**Budget Adjustment No. 112:** Budget Adjustment No. 112 is by Social Services to increase expenditure and revenue line items for funds received for Special Children's Adoption Fund (no county funds involved).

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve Budget Adjustment No. 112.

**Vacancies:** Commissioner Craig presented the following vacancies.

**VACANCIES**

|  |             |
|--|-------------|
| Nursing and Adult Care Home Community Advisory Committee | 6           |
| Recreation Commission                                    |             |
| Lincolnton Township                                      | 1           |
| Lincoln Natural Resources Committee                      | 1 (Realtor) |
| Library Board  |             |
| Lincolnton Township                                      | 1           |
| Personnel Board  | 1           |

The following are Commissioner Craig's recommendations:

## **APPOINTMENTS**

### Library Board

Beverly Gantt

### Lincoln County Industrial Facilities and Pollution Control Financing Authority

Don Ballard

Harold Howard, Jr.

Jim Mauney

## **REAPPOINTMENTS**

### Social Services Board

James A. Hallman

### Lincoln County Industrial Facilities and Pollution Control Financing Authority

John Black, Jr.

Dyra Eaker

Danny Richard

John Lockman

### Lincoln Economic Development Association

Betty Setzer

Harold Howard, Jr.

### Lincoln Natural Resources Committee

Ronald Bost

Jay Bunzey

Patty Dellinger

Henry Fogle

Brad Gragg

Laura Gregory

Jack LaPointe

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the appointments and reappointments.

**Calendar:** Commissioner Craig informed the Board that the Ramsour's Mill Battle Site Celebration went great. There was a good turnout and the barbecue was really good. Over 1000 people attended this on Saturday.

**County Manager's Report:** Stan Kiser, County Manager, presented the County Manager's Report. He presented the contract with Chase and Verizon for placing a cell phone antennae on the top of the Citizens Center.

Leon Harmon reported on his meeting with Metrosite, who could represent the County in marketing buildings, water tanks, or other public facilities.

Commissioner Choate stated that he is concerned about the appearance.

Commissioner Anderson stated that Chase proposed an initial rental of \$15,000 for the first five year period. He asked how they came up with this number.

Mr. Harmon stated that the gentleman from Metrosite said that was a pretty good price.

Commissioner Anderson stated that he feels we should determine what the site is worth. He stated that they are asking for 5 five-year terms, which go up every five years. He stated that the county will be better served by not locking in the price for five years. Commissioner Anderson commented that the Board should be protected from the standpoint of the roof on the building.

Mr. Kiser mentioned that we need to be sure there is adequate power on the roof. He also stated that the gentleman from Metrosite said we should probably have a license agreement instead of a lease.

The Board added this item to the July 1, 2002 agenda.

Leon Harmon stated that he has been contacted by Parker Black, who represents the Gaither family. The Gaither family owns the Heafner Tire Building where the Social Services furniture is located. They are having expenses associated with us using the building and would like to rent the building to the county for \$800 a month with the county paying utilities. He stated that they will work with us if the building is sold to give us time to get the furniture moved.

**County Attorney's Report:** Jeff Taylor stated that the State has contacted him about a new lease for the Forestry Service.

Chairman Cochrane instructed Mr. Kiser to look into this and see if we are under legal obligation to rent this space.

Leon Harmon stated that we pay 40% of the Forestry Service rent.

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

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Amy S. Long, Clerk to the Board

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Jerry W. Cochrane, Chairman