

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 20, 2003

The Lincoln County Board of County Commissioners met in regular session on October 20, 2003 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
Larry S. Craig, Vice Chairman
Thomas R. Anderson, PE
Carrol D. Mitchem

Commissioners Absent:

James "Buddy" Funderburk

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 October 20, 2003 meeting of the Lincoln County Board of Commissioners to order and welcomed everyone present.

Invocation: Rev. Mary McKee of First Presbyterian Church gave the Invocation. Commissioner Mitchem led in the Pledge of Allegiance.

Adoption of Agenda: Chairman Cochrane presented the agenda for the Board's approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to adopt the agenda as presented.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

OCTOBER 20, 2003

6:30 PM	Call to Order
6:31 PM	Invocation
6:33 PM	Pledge of Allegiance
1. 6:34 PM	Adoption of Agenda
2. 6:36 PM	Approval of Minutes - October 6, 2003

3. 6:40 PM Consent Agenda

- Tax Requests for Releases
 - Less than \$100 –August 16 – September 15, 2003
 - More than \$100 – August 16 – September 15, 2003
- Tax Requests for Refunds
 - Less than \$100 – August 25 – September 9, 2003
 - More than \$100 – August 25 – September 9, 2003
 - Less than \$100 – September 10 – October 12, 2003
 - More than \$100 – September 10 – October 12, 2003
- Budget Adjustment 24
- Waived Fees for Auditorium
 - Piedmont Council, Boy Scouts of America
 - Christian Ministries
- Sponsored Group Status
 - NC Symphony

4. 6:45 PM Public Comments

5. 7:00 PM Planning Board Recommendations – Randy Hawkins

- PCUR #97 – American Land Corporation-Charlotte Inc., applicant
- PCUR #98 – Michael Murphy, applicant
- CUP #224 – Anatech Ltd., applicant
- CUP #225 – Howard Cline, applicant

6. 7:20 PM Payment of Taxes Through BankServ – Madge Huffman

7. 7:30 PM Group Medical Insurance Proposal for 2004 – Kim Kilday, NCACC and Audrey Setzer

8. 7:40 PM Sediment and Erosion Control in Lincoln County

9. 8:00 PM Update from Agricultural District Advisory Board

10. 8:10 PM Finance Officer's Report – Leon Harmon

12. 8:15 PM Public Works Capital Project Report – Steve Gilbert

13. 8:20 PM Vacancies

13. 8:25 PM Appointments

14. 8:30 PM Calendar

15. 8:35 PM County Manager's Report

16. 8:40 PM County Commissioners' Report

17. 8:45 PM County Attorney's Report

18. 8:50 PM Other Business

Adjourn

Approval of Minutes – October 6, 2003: Chairman Cochrane presented the minutes of the October 6, 2003 meeting.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the minutes as amended.

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

NAME	YEAR	A/C NO	AMOUNT
Bissonnette, Justin P.	2002	0165162	\$ 120.13
Braddock, Michael Antoine	2003	0168073	\$ 143.96
Carolina Metal Buildings Inc.	2002/03	0088204	\$ 238.38
Cochrane, Bruce R.	2003	04908	\$ 115.35
Dellinger, Jerry W.	2003	0135440	\$ 109.03
Dixon, Michelle Zerbe	2003	0066817	\$ 121.35
Franklin, Sidney Allen	2003	0168422	\$ 205.55
Free, Michael Lee	2002	0086128	\$ 111.08
Hammond, Paul Ray	2003	0167934	\$ 219.60
Hartsoe, Mark Alan	2003	0168374	\$ 252.75
Henderson, David Lee Jr.	2003	0145647	\$ 175.05
Howard Realty Inc.	2003	0071211	\$ 120.72
Hunt, Timothy N.	2003	0168316	\$ 136.81
Kelley, A. Ralph	2003	0123248	\$ 240.22
Lamb, Robert Scott	2003	0157991	\$ 113.82
Manning, Ashley Frances	2003	0168582	\$ 134.35
Martinez, Miguel Angel	2001-02	0126339	\$ 109.11
Miller, Ronald Blaine	2003	0088013	\$ 186.34
Nagim Corp.	2003	0103870	\$ 310.70
Smith, Scott Steven	2003	0167852	\$ 181.95
Story, Martha Lynch	2003	0086459	\$ 167.63
Weaver, Michelle			
Stolarcyk	2003	0160285	\$ 141.56
Williams, Leonard Dolan	2003	0092665	\$ 109.82
		TOTAL	\$ 3,765.26
NAME	YEAR	A/C NO	AMOUNT
ACS Enterprises Inc.	2003	0165892	\$ 977.35
Bass, Annie Hoyle	2002/03	0150674	\$ 138.00

Bowlin, Michael	2001-03	0110953	\$ 317.05
Callaway, Dwight B. Jr.	2003	20157	\$ 2,070.00
Clifton Technical Co. Inc.	2001/02	0144040	\$ 1,441.00
Cogdill, Jay	2002/03	0162463	\$ 198.12
Comdoc Leasing	2001-03	0078993	\$ 265.32
Holloway, Edrice Louise	2003	0079816	\$ 2,001.00
Howell, Steve	2003	0158678	\$ 101.48
Imperfect Metals DBA	2003	0163265	\$ 120.74
McKinney, Lisa	2003/03	0154776	\$ 256.05
Moskalczyk, John	2003	0148226	\$ 144.10
Reep, W. Rhodney	2003	0149672	\$ 2,963.54
Schenck, Lillie	2003	44418	\$ 210.31
Seymour, Ruby G.	2003	0156653	\$ 201.69
Subsurface Support Inc.	2003	0143061	\$ 379.67
Whitner, Robbie	2003	0149795	\$ 136.04
Yutzy, David William	2000-03	0081829	\$ 115.84
		TOTAL	\$12,037.30

NAME	YEAR	A/C NO	AMOUNT
Akers, Cread Wetcel	2003	0086695	\$ 76.38
Altfeder, Trude L.	2003	0150959	\$ 86.70
Anderson, Brian K.	2003	36186	\$ 16.19
Barker, Tonya Wike	2003	0168419	\$ 75.17
Barnett, Brenda Mayhue	2000	0122728	\$ 30.03
Beason, Mickey Allen	2003	0137435	\$ 60.56
Bellotte, Gerald Jr.	2003	0168653	\$ 64.08
Berry, Loren Joseph	2003	0112472	\$ 27.02
Berry, Pearl Ann	2000	0148968	\$ 78.22
Besse, Donald Paul	2003	0128750	\$ 36.34
Best, William Linton	2003	0168457	\$ 61.59
Black, Bernice Huffman	2003	0115933	\$ 20.30
Black, Michael Shannon	2003	0116473	\$ 23.05
Bodenheimer, George Michael	2003	0168634	\$ 11.80
Bolden, Lonnie Wayne Sr.	2003	0085854	\$ 4.40
Boyles, Kenneth Everette	2003	0092817	\$ 20.60
Brown, Vilas Harold	2003	0071021	\$ 52.29
Burford, Jesse Lamar	2002	0110960	\$ 85.01
Carpenter, Ernest Scott	2003	0168410	\$ 24.41
Caskey, Kenneth C.	2003	0115469	\$ 15.45
Chandler, Kathy Pritchard	2003	0167822	\$ 27.39
Cobb, Lonnie W.	2003	12072	\$ 10.38
Cook, Tony M.	2003	21615	\$ 3.44
Cooke, Rosa Blasky	2003	0159310	\$ 12.87
Cornett, Jason Nathaniel	2003	0152148	\$ 55.02

Couet, Jala Ivey	2003	0168451	\$ 31.83
Crowder, Michael Darren	2003	0144033	\$ 21.49
Cruz, Juan Collado	2001	0152632	\$ 16.36
Cunningham, Robert M.	2003	35787	\$ 15.66
Dango, Virgilio M.	2003	0120102	\$ 53.15
Danner, Harvey Lee	2003	0165824	\$ 36.58
Dejong, Douglas J.	2003	0146672	\$ 57.69
Detter, Lester John	2003	0165176	\$ 69.27
Drennen, James Alan	2003	0114144	\$ 15.98
Durham, Robert Edward Jr.	2003	0091845	\$ 2.21
Easler, Andrea Lynn	2003	0158181	\$ 79.46
Edwards, Donald Gerald	2002	0080508	\$ 13.21
Ellis, Ebbie Jimmy	2003	0161633	\$ 15.14
Estridge, John Thomas	2003	0070566	\$ 16.21
Farish, Henry Hunter	2003	0161433	\$ 26.33
Ferlin, Jerome Francis	2003	0097159	\$ 11.75
Fernandez, Sibaja Silvia	2003	0152156	\$ 63.08
Finger, Vickey Hayes	2003	0140129	\$ 21.45
First Impressions Landscape	2002	0152216	\$ 37.57
Frazier, Anthony Paul	2003	0101426	\$ 32.05
Friday, Devonda McLain	2003	0145067	\$ 32.42
Fulbright, Ellis Grady Jr.	2003	0150822	\$ 86.05
Godfrey, Ruth	2003	00936	\$ 3.22
Gomez, Dana Rochelle	2002	0159392	\$ 6.18
Guy, John	2003	0132401	\$ 4.16
Hamrick, Howard Arthur	2002	0093401	\$ 20.38
Harris, Robert Jay	2000	0077038	\$ 11.71
Hart, Richard Lee Jr.	2001/02	0098344	\$ 43.90
Hartsoe, Jerry Keith	2003	0104814	\$ 69.09
Hawn, Jeffrey Todd	2003	0100130	\$ 14.38
Helms, Jeff	2003	06334	\$ 28.81
Henderson, Olan Christopher	2003	0114798	\$ 35.05
Hester, Bobby Eugene	2003	0079213	\$ 7.19
Hester, Susan Barkley	2003	0141985	\$ 1.02
Hubbard, John Kearney Jr.	2003	0145459	\$ 2.36
Hull, Anthony Chad	2003	0101470	\$ 41.21
Hullette, Jerry D.	2003	31641	\$ 24.15
Hullette, Jerry Dean	2003	0065307	\$ 33.20
Johnson, Ronnie Dale	2002	0128190	\$ 30.38
King, Katherine J.	2003	0125469	\$ 58.38
Kirby, Barry Eugene	2003	0065490	\$ 26.00
Lail, D. H.	2003	0112300	\$ 33.63

Lawson-Casto, Vicci Lynn	2003	0140896	\$ 31.39
Lemley, William Scott	2003	0167854	\$ 44.01
Leonhardt, Larry Andrew	2003	10261	\$ 79.43
Lloyd, Richard Alton	2003	10687	\$ 16.67
Long, Sandra Farmer	2003	0158323	\$ 59.40
Lykins, Betty G.	2002	43962	\$ 8.61
Lynch, William J.	2002	45458	\$ 44.72
Mackey, Thomas E. III	2003	0167068	\$ 46.02
Macleod Construction Inc.	2003	0098225	\$ 81.77
Mata, Johan	2003	0159640	\$ 70.49
Mathis, Constance L.	2003	0122482	\$ 27.39
Mathis, Rocky Allen	2002	07787	\$ 90.20
McCarter, Patricia Vinson	2003	0136193	\$ 16.28
McCarver, Rob Lane	2003	0159453	\$ 40.36
McDonald, Freddy Eugene	2002	0073228	\$ 7.46
Mejias, Claudio Vargas	2003	0156398	\$ 16.90
Metcalf, Rick Prescott	2002	0138462	\$ 24.38
Monk, Douglas McArthur	2003	0167885	\$ 49.79
Moody, Gary W.	2003	0128214	\$ 24.51
Moore, William Lynn	2003	0096371	\$ 29.75
Moretz, Sarah Potter	2002	0158149	\$ 5.40
Muse, Robert	2003	0082671	\$ 33.50
N & R Melson Enterprise			
DBA	2003	0066812	\$ 99.31
New Vision Ministries of			
Linc.	2003	0126890	\$ 90.72
Niehoff Enterprises Inc.	2003	0153177	\$ 37.64
Orbinson, Nikki Dawn	2003	0168644	\$ 21.20
Painter, Jimmy Ray Jr.	2003	0160277	\$ 26.60
Patterson, Robert W.	2002	0124872	\$ 50.89
Patton, Lois Marlowe	2003	0068023	\$ 3.22
Pernett, Monique Marie	2003	0168719	\$ 7.08
Peterson, Gary R.	2002	0105050	\$ 8.10
Plunkett, Michael Ray	2003	0071268	\$ 8.60
Pope, Ronald W. Jr.	2003	0157228	\$ 25.25
Poston, Frances Smith	2003	0082405	\$ 19.56
Powell, James Lee	2002	0106735	\$ 15.79
Power, Jan Christian	2003	0142379	\$ 30.63
Propst, Edward Russell	2003	0112461	\$ 10.00
Propst, Sidney Roger	2002	0138079	\$ 47.07
Ransom, Debra H.	2003	0076046	\$ 66.79
Rauch, Teresa Morton	2003	0158880	\$ 24.32
Reep, Charles H.	2003	08397	\$ 26.46
Reese, Bobby William	2003	0100171	\$ 3.54

Reynolds, William Gaither	2003	0088129	\$ 5.90
Ross, James Keith	2003	0104897	\$ 32.97
Rozycki, Thomas Walter	2003	0066983	\$ 11.89
Schmidt, Charles Eugene	2003	0168534	\$ 22.78
Schweitz, Carole Bingham	2002	0138467	\$ 16.91
Schweitz, Gerald Oscar	2003	0143535	\$ 5.59
Scott, Edward Ray II	2003	0161747	\$ 87.23
Seagle, Peggy Kiser	2002	0092608	\$ 12.14
Seger, Kurtis Paul	2003	0154920	\$ 89.21
Sharp, Joel Richard	2003	0164647	\$ 14.73
Shenold, Michael B.	2002	0136462	\$ 12.07
Shuford, Patricia Sue	2003	0111557	\$ 36.85
Slawter, James Timothy	2002	0165675	\$ 87.97
Smith, Amber Kelly	2003	0168580	\$ 80.95
Smith, Dennis L.	2003	0139812	\$ 48.77
Smith, Michael Darrin	2003	0160440	\$ 30.30
Strassner, Durwood			
Joseph	2003	0137487	\$ 13.57
Streets, David Jeremy	2003	0138051	\$ 23.90
Sumner, david H.	2003	0126913	\$ 10.32
Towery, Charles Esper	2003	01475	\$ 28.77
Tritt, Herbert Daniel	2003	0131791	\$ 71.70
Troutman, Tracy Louis Jr.	2003	0070168	\$ 1.01
Tucker, Kenneth Neil	2003	0137560	\$ 50.06
Turner, Michael Wayne	2003	0167114	\$ 16.52
Ugalde, Jose Gerardo			
Villegas	2002	0159602	\$ 38.65
Veenstra, Lawrence Earle	2003	0131745	\$ 25.75
Vierra, Matthew			
Christopher	2002	0130442	\$ 11.62
Webb, Geneva Eileen	2002	0150743	\$ 35.03
Weems, Larry Byrum II	2003	0096181	\$ 73.63
Whitesides, Johnny C.	2002	10086	\$ 13.26
Wilkinson, Mark K.	2003	0133737	\$ 68.95
		TOTAL	\$4,778.23

NAME	YEAR	A/C NO	AMOUNT
A Permanent Touch	2003	0163209	\$ 90.20
Boger City Baptist church	2003	0110393	\$ 69.00
Brown, Robert H.	2003	0159938	\$ 69.00
Burgess, Robert Junior	2003	0107658	\$ 9.14
Drury, Marjorie	2003	0060224	\$ 69.00
Face Prints Inc.	2003	0156771	\$ 32.91
Foxx, Marion A.	2003	0127361	\$ 55.91
Gamble, John R. (Dr.)	2003	06812	\$ 17.09

Gatz Technology Services Corp.	2003	0166041	\$ 25.09
Goodson, Samuel L.	2003	07175	\$ 69.00
Keziah, William Michael	2003	0094444	\$ 26.52
Lane, Joe	2003	0163906	\$ 26.87
Lefebvre, Jean-Pierre	2003	0120347	\$ 81.18
Radke, David Bruce	2003	14163	\$ 5.11
Rodriques, Jose	2003	0161881	\$ 37.56
Smathers, Linda W.	2003	35198	\$ 3.35
Stallings, Jean Eason	2003	0136725	\$ 98.98
Story, Jerry Darrell	2003	11054	\$ 69.00
Sumney, Roger Allen	2003	0161438	\$ 24.36
Whitaker, Bruce Trent	2003	0071121	\$ 8.51
		TOTAL	\$ 887.78

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (AUGUST 25, 2003-SEPTEMBER 9, 2003)

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

NAME	YEAR	DIST	A/C#	AMOUNT
BROWN, CHARLES B. JR.	2003	PCFD	19562	69.00
FOXX, MARION A.	2002	N321FD	0127361	68.71
GREGORY, BRANDY N.	2003	AFD	0151615	29.99
LEFEBRE, JEAN-PIERRE	2003	DFD/ELSC	0120347	52.41
RHYNE, MILLARD L. (HEIRS OF)	2003	PCFD	14774	78.85
		TOTAL		\$298.96

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

NAME	YEAR	DIST	A/C#	AMOUNT
CIT/GROUP	2001	DFD	0151006	1,763.29
GATX TECH SERV. CORP.	2003	ELFD/ELSD	0166041	161.54
RITCHIE, JENNIFER E.	2002	DFD	0146897	161.81
		TOTAL		\$2,086.64

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

NAME	YEAR	DIST	A/C#	AMOUNT
ALLRAN, NEIL E.	2003	BCFD	0090505	4.37
BOMBARDIER, BRUCE A.	2002	ELFD/ELSD	0139810	12.34
BREWER, JAMES T.	2003	ELFD/ELSC	0075132	9.63
EAKER, JOHN PAUL	2003	NBFD	00501	29.85
FINGER, VICKEY HAYES	2001	N321FD	0151940	5.01
GREENWOOD, BRENDA O.	2003	ELFD	20011	24.58
GREGORY, BRANDY N.	2002/03	DFD/ELFD	0151615	21.41
HARTMAN, ROBERT W. JR.	2002	ELFD/ELSD	0129733	95.10
HISSOM, ROBERT WILLIAM JR.	2003	DFD/ ELSD	0160600	53.95

HOLLAR, DENNIS A.	2002	DFD	0072392	8.66
HOOD, KATHY K.	2003	NBFD	0144383	19.15
HUMPHRIES, FLORA D.	2002	NBFD	01454	1.00
HUSS, EDWARD K.	2003	NBFD	0094552	68.29
LAIL ELECTRIC SERV. INC.	2002	CITY	25362	61.34
NATIONSBANC AUTO LEASING	2002	CFD	0133891	19.86
OXFORD RESOURCES CORP.	2002	CITY	0076216	7.39
SCHWEBACH, TINA A.	2002	DFD/ELSD	0139670	7.20
STEVENS, BARBARA C.	2003	ELFD	0111823	16.69
TREECE, LEO E.	2002	NBFD	01497	6.11
			TOTAL	\$471.93

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

NAME	YEAR	DIST	A/C#	AMOUNT
D.L. PETERSON TRUST	2003	CITY	0066577	110.23
HARTMAN, CLAIRE C.	2002	ELFD/ELSD	0126534	135.73
			TOTAL	\$245.96

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS
PERIOD COVERED (September 10, 2003-October 12, 2003)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Goins, Margaret W.	2003	UFD	04062	69.00
McKinney, Lisa	2001-02	NBFD	0154776	47.34
Renner, Stephen T.	2003	ELFD/ELSD	0142660	67.91
			TOTAL	\$184.25

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

NAME	YEAR	DIST	A/C#	AMOUNT
Britt, William D. Jr.	2000-2003	AFD	12887	575.01
Moskalczyk, John	2000-2002	City	0148226	775.36
Curtis, David L. & Etal	2003	DFD	0088491	1,436.60
			TOTAL \$ 2,786	

Budget Adjustment No. 24 by Finance to carry over from previous fiscal year \$9,000 allocated for UDC renovations approved 5/19/03 B.A. #83.

Waived Fees for Auditorium

- Piedmont Council, Boy Scouts of America
- Christian Ministries

Sponsored Group Status for Auditorium

- NC Symphony

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.

Pamela Hoffman, a teacher at Union Elementary, spoke on the need for a new elementary school in the western end of the county.

Carrie Strange spoke concerning overcrowding at Union Elementary School and asked the board to be proactive.

Donald Hager spoke concerning Parallel Conditional Use Rezoning No. 97 – American Land Corporation, applicant. He asked the Board to keep the density as it is.

Ansley Anderson spoke concerning PCUR #98 – Michael Murphy, applicant and asked the Board to keep this small stretch of Hwy. 16 attractive with no businesses.

Don Ballard, 1464 S. Hwy 16, stated that he lives adjacent to the property in PCUR #98 – Michael Murphy, applicant. He stated that over the years he has lived there, he has seen the area grow a lot. He stated that he does not see the need for a garden center. Mr. Ballard stated that if any Board members have driven down Independence and seen the applicant's business, they would not want this in their neighborhood.

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

Recommendations from the Planning Board: Randy Hawkins presented the following Planning Board recommendations.

Parallel Conditional Use Rezoning No. 97 – American Land Corporation-Charlotte Inc.: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

Application # PCUR #97 Date 10/20/03

Applicant's Name American Land Corporation-Charlotte, Inc.
8520 Cliff Cameron Dr., Suite 450
Charlotte, NC 28269

Property location: George Brown Road

Existing Zoning: R-T, R-SF

Proposed Conditional Use Major subdivision with 57 lots for single-family homes

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: Based on road plan and other documentation.

2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Meets all requirements of a planned district.
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: Size of lots.
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: Plan calls for lower density than allowed by current zoning.

UPON MOTION by Commissioner Craig, the Board voted unanimously to defer PCUR #97 until the next meeting to study it further.

Parallel Conditional Use Rezoning No. 98 – J. Michael Murphy, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

Application # PCUR #98 Date 10/20/03

Applicant's Name Michael Murphy
1218 Heather Lane
Charlotte, NC 28209

Property location: Hwy. 16 South

Existing Zoning: R-SF

Proposed Conditional Use Retail Garden Center

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: Based on site plan and applicant's testimony.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: Type of structure, one entrance on Hwy. 16, screening to be provided.
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: Based on what's already on Hwy. 16, mixture of businesses and residences.

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: Area is mix of small businesses and residences.

In approving the Conditional Use Rezoning, the following conditions were placed:

- 1) that the building be located at least 50 feet from the property line on the north side
- 2) that the operating hours of the garden center be limited to 8 a.m. to 6 p.m. Monday through Saturday and noon to 6 p.m. Sunday except for the period from April 1 to June 30, when the operating hours may be extended until 8 p.m.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the rezoning and Parallel Conditional Use Permit No. 96 – Michael Murphy, applicant, based on the findings of fact with the added conditions, concurring with the Planning Board.

Conditional Use Permit No. 224 – Anatech, Ltd., applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 - 0 to recommend approval.

Application # CUP #224 Date 10/20/03

Applicant's Name Anatech, Inc.
6621-F Electronic Drive
Springfield, VA 22151

Property location: 771 Crosspoint Drive, Denver

Existing Zoning: I-G

Proposed Conditional Use Metal-coating facility

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: Information provided by applicant.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: According to testimony and information provided.
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: Use fits in location in industrial park.
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 park area where it will be located.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to accept the Planning Board's recommendation and findings of fact, approving Conditional Use Permit No. 224 – Anatech, Ltd., applicant.

Conditional Use Permit No. 225 – Howard W. Cline, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval.

Application # CUP #225 Date 10/20/03

Applicant's Name Howard W. Cline.
 3266 Mack Ballard Road
 Maiden, NC 28650

Property location: 3266 Mack Ballard Road

Existing Zoning: R-S

Proposed Conditional Use Class B (doublewide) 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: Based on testimony, other mobile homes in area, one acre to be subdivided out of 25 acres.
2. The use meets all required conditions and specifications. YES NO
Factual Reasons Cited: House meets new appearance standards, septic system approved.
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: Family owns property.
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: Location in back acreage, not visible from road.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Conditional Use Permit No. 225 – Howard Cline, applicant and accept the Planning Board’s recommendation and findings of fact.

Group Medical Insurance Proposal for 2004: Audrey Setzer, Personnel Director, and Kim Kilday presented a proposal for group medical insurance for 2004. Premium cost has increased 20.1% due to the number of claims last year. In order to absorb the premium increase cost of employee and dependent coverage without asking employees to share in premium cost, Stan Kiser, County Manager, recommended increasing the deductible to \$1000. This way, the premium cost to employees for medical and dental insurance will remain the same as last year.

UPON MOTION by Commissioner Craig, the Board voted unanimously to accept the recommendation of the County Manager, going to a \$1000 deductible with the county picking up the increase.

Sediment and Erosion Control in Lincoln County: Rick McSwain gave a Powerpoint presentation on Sediment and Erosion Control in Lincoln County. He asked the Board to authorize a feasibility study, which will be done at no cost by the Lincoln County Soil and Water Conservation Office, Building and Land Development, and the Lincoln Natural Resources Committee. They hope to have this study done by January.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the feasibility study, which will be completed by January.

Chairman Cochrane called for a brief recess.
Chairman Cochrane called the meeting back to order.

Update from Agricultural District Advisory Board: Jerry Wyant gave an update from the Agricultural District Advisory Board.

Finance Officer's Report: Leon Harmon, Finance Officer, presented the budget performance report for September, 2003.

Public Works Capital Project Reports: Steve Gilbert presented the capital project reports for the Public Works Department.

Vacancies: Commissioner Craig presented the following vacancies and appointments.

VACANCIES

The following are Commissioner Craig's recommendations.

APPOINTMENTS

Council on Aging

- Lib Elmore
- Earl Cloninger
- Rev. Robert Hamilton

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

Calendar: Chairman Cochrane reminded the Board of the work session with the Planning Board on November 5, 2003 at 4:30 p.m. This meeting will be at the new EMS building.

The Board discussed the situation at Union Elementary School and the need for a new elementary school.

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

County Attorney's Report: Jeff Taylor commended everyone for a job well done on the COPS closing. He stated that closing for the Keith/RSI Shell Building will be sometime this week. The \$460,000 will finish paying off the loan on the property.

Jeff Taylor stated that the Board has suspended the applicability of the Franchise Ordinance. He asked for a public hearing on November 3 to consider the revised ordinance.

UPON MOTION by Commissioner Craig, the Board voted unanimously to set the public hearing for November 3, 2003 at 7:30 p.m. to consider the revised Franchise Ordinance.

Other Business: Chairman Cochrane stated that Dennis Williams has asked about the future location of the Home Health Department so he can draw plans accordingly.

Commissioner Anderson suggested instructing Dennis Williams to proceed on the basis that Home Health will move back to the Health Department as an alternate.

Recess: Chairman Cochrane recessed the meeting until October 27, 2003 at 6 p.m.

Amy S. Long, Clerk to the Board

Jerry W. Cochrane, Chairman