

**MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 20, 2002**

The Lincoln County Board of County Commissioners met in regular session on May 20, 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: Rev. Jerry Goodman of Lincolnton Pentecostal Holiness Church gave the Invocation.

Pledge of Allegiance

Adoption of Agenda: **UPON MOTION** by Commissioner Craig, the Board voted unanimously to adopt the agenda as presented.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

MAY 20, 2002

6:30 PM	Call to Order
6:31 PM	Invocation
6:33 PM	Pledge of Allegiance
1. 6:35 PM	Adoption of Agenda
2. 6:37 PM	Approval of Minutes - May 6, 2002

3. 6:40 PM Consent Agenda

- Tax Requests for Releases
 - Less than \$100 – March 16 – April 15, 2002
 - More than \$100 – March 16 – April 15, 2002
- Tax Requests for Refunds
 - Less than \$100 – March 15 – April 15, 2002
 - More than \$100 – March 15 – April 15, 2002
- Budget Adjustments 93, 94, 99, 101
- Letter of Credit and Contract No. 24 for Cowan's Ford, Section III

4. 6:45 PM Public Comments

5. 7:00 PM Recommendations of Planning Board – May 6, 2002

- Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant.
- Parallel Conditional Use Rezoning No. 85 – Mickey Jo Read, applicant.
- Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant.

6. 7:10 PM Mental Health Issues – Dr. Montez Sizer

7. 7:20 PM Method of School Board Elections – David Black

8. 7:40 PM Road Naming Public Hearing – April Nunn

9. 7:50 PM Alcoholic Beverages Referendum

10. 8:15 PM HCCBG County Plan for 2002-2003 – Erma Deen Hoyle

11. 8:25 PM Report from Forestry Service – Elizabeth Snyder

12. 8:30 PM Presentation of e-Community Plan – Audrey Setzer

13. 8:40 PM NCDOT Enhancement Projects – Audrey Setzer

14. 8:50 PM Finance Officer's Report – Leon Harmon

15. 9:00 PM Budget Presentation – Stan Kiser

16. 9:30 PM Resolution Requesting That Local Government Revenue Sources Be Made Secure

17. 9:40 PM Update on Capital Project Reports – Steve Gilbert

18. 9:50 PM Update on Ken Scronce

19. 10:00 PM Vacancies
20. 10:05 PM Appointments
21. 10:10 PM Calendar
22. 10:15 PM County Commissioners' Report
23. 10:25 PM County Attorney's Report
24. 10:35 PM Other Business

 Adjourn

Approval of Minutes – May 6, 2002: Chairman Cochrane presented the minutes of the May 6, 2002 meeting for the Board's approval.

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

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

TAX REQUESTS FOR RELEASES

Less than \$100 – March 16 - April 15, 2002

More than \$100 – March 16 – April 15, 2002

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Wendy	2002	0156505	\$74.38
Aliff, Reid C. & Diane	2001	36898	\$21.43
Armstrong, Donnie Ray	2001	05424	\$26.16
Beal Textiles Inc.	2000/01	24360	\$22.90
Black, Thomas Dean	2001	02361	\$8.84
Carpenter, Larry Cyril	2001	0097619	\$4.42
Chapman, David Michael	2001	02968	\$69.00
Crouse, Sheila	1992	303170	\$12.20
Deal Construction	2001	0105856	\$7.63
Gantt, Darlene W.	2001	0090926	\$9.81
Johnson, William Lee	1998-01	0092638	\$55.00
Lamberth, Theodore C.	1999/00	15039	\$25.59

Locke, Lisa Joy	2002	0089326	\$55.60
Logan, Robert G.	2001	16685	\$44.49
Martinez, Estevan	2000/01	38311	\$79.01
McMahan, C. R.	2001	0133345	\$1.95
McMurry, Wendell Rodney	1997	17171	\$94.58
Morgan, Michael Gene	1992	37907	\$8.50
Morrison, Donna	2000/01	32166	\$16.38
Morrison, Jeffrey Dale	1994-01	0080593	\$67.08
Oxbow Ranch	1999-01	0133209	\$19.62
Player, Janice E.	2001	0108922	\$41.93
Pressley, Harley Lee	2001	38291	\$9.36
Reel, Dan R. III	1993	14339	\$3.96
Riveria, Nna	2001	0148233	\$81.85
Sturgill, Summers Dallas Jr.	2001	0074309	\$37.96
Toney, Rickey Alen	2000/01	0061810	\$36.03
Vinsant, Martin	1998	0107288	\$16.52
Wylies Used Parts & Salvage	2001	26377	\$13.40
		TOTAL	\$965.58

NAME	YEAR	A/C NO	AMOUNT
Brooks, Anthony Scott	2001	0072251	\$981.25
Chapman, Jonathan Andrew	2001	0110379	\$3,592.89
Coughlin, Ryan Joseph	2001	0136337	\$111.41
Denver Ornamental Iron	2001	0133289	\$478.80
Elmore, Agustus Cain	2000	0139888	\$121.00
Fredell, Larry Wayne	2001	0115443	\$137.59
Johnson, Brandy Nicole	2001	0122794	\$147.99
Lambirth, Jimmy Albert	2001	0094693	\$140.10
Lincoln Country Club	1999/00	25443	\$269.33
Lingerfelt, Donald Carroll	1999-01	00345	\$391.48
Link, Maie	2001	15839	\$294.80
Nicks, Frankie Lynn	2001	0130170	\$154.85
Pacini, Chris	2001	0154613	\$101.93
Palidan Janitorial Service	2000/01	0140106	\$101.48
Pope, Bobby F.	2001	39918	\$147.40
Rucker, Denise Mackey	2000/01	0146828	\$221.35
Sain, Richard Lee	2001	0104070	\$109.76
Toth Inc.	2001	0117116	\$205.00
Townsend, Amy Sue	2000/01	0062422	\$124.85
Tuckers Grove United Meth.	2001	41322	\$147.40
Warren, Wesley	2001	0154797	\$147.40
Werts, Evan Eugene	2001	0143275	\$172.22
Willow Brook Homes Inc.	2002	0148126	\$283.20

Zuniga, James	2001	0117830	\$145.20
		TOTAL	\$8,728.68
NAME	YEAR	A/C NO	AMOUNT
Adams, Stephen Gray	2001	0135536	\$5.88
Aldridge, Lorri Shea	1998	0124184	\$63.73
Alexander, Vickie McGinnis	2001	0151525	\$32.55
Allen, Jimmie Lee	2001	0080697	\$36.30
Alvarez, Jorge L.	2001	0137676	\$16.62
Anthony, Howard Jr.	2001	00178	\$5.12
Antinori, Ric T.	2001	0138756	\$25.46
Arndt, Bruce Wesley	2001	0089228	\$55.19
Benningfield, Ellen Christine	1999	0136911	\$22.53
Boback, Dorothy Niski	2001	0156942	\$24.50
Boone, Matthew Alan	2001	0156929	\$28.14
Branning, Carole Cloninger	2001	0076160	\$4.89
Brendle, Rustin Powell	2001	0085688	\$85.62
Brooks, Timmy Dale	2001	0088060	\$13.77
Brown, Michael Stephenson	2001	0149472	\$29.74
Buff, Donald Ray	2001	0085095	\$73.09
Byers, Nathan David	2001	0090790	\$13.91
Carver, Jonathan Todd	2001	0116092	\$1.07
Chak, Chanthan	2001	0156392	\$12.79
Clark, James Lacy	2001	0153145	\$3.63
Cloninger, Tony Lee Jr.	2000	0067134	\$40.30
Coffey, Jeffrey	2001	12119	\$16.48
Cotter, Jennifer Kathleen	2001	0119893	\$18.80
Creswell, Sarah Devine	2001	0147724	\$6.31
Cruz, Martin Charco	2001	0145222	\$14.70
Dean, Floyd	2001	0156898	\$34.79
Dellinger, Aaron Scott	2001	0096999	\$75.13
Delvechio, Pamela Jean	1999	0141854	\$63.06
Dibruno, Berardino	2001	0137419	\$13.66
Fea, Anthony Sisto	2001	0096399	\$5.69
Finger, Herbert Hoover Jr.	2001	0100024	\$15.17
Fowler, Dustin Heath	2001	0138619	\$39.56
Geouge, Wade Kevin	2001	0099061	\$14.55
Gladden, Bobby Shane	2001	0128598	\$39.65
Grissom, Herbert Thomas Jr.	2001	0154964	\$63.48
Haas, William V.	2001	17301	\$23.91
Habashi, Maher Fahim	2001	0107521	\$35.84
Harris, Donna Bailes	2001	0140335	\$34.12
Hartman, James Robert	1998	0090663	\$27.23

Haynes, Richard Calvin	2001	0100646	\$48.15
Heavner, J. B.	2001	06151	\$7.76
Heavner, William Howard	2001	0156873	\$18.29
Helton, Christopher Wayne	2001	0132644	\$61.70
Hoffman, Scott Allen	2001	0156774	\$23.18
Holbert, Barbara L.	2001	0124952	\$11.16
Hoover, Edward	1997	0095633	\$68.97
Howard, P. Asbury & Carolyn	2001	07467	\$46.73
Ingle, Marty Webb	2001	0147381	\$25.64
Jimenez, Martin Uribe	2001	0099643	\$18.20
Johnson, Neal Dewayne Jr.	1997/99	0093643	\$36.17
Labauch, Phyllis Hoffman	2001	0150491	\$27.78
Lay, Mary Kate	2001	0156367	\$67.32
Leonard Automatics	2001	25409	\$51.39
Little, Ronald R.	2001	10642	\$2.78
Lumpkin, Cecilia P.	2001	0134051	\$3.49
Lutz, Otto	2001	10969	\$35.62
Marsh, Kenneth Jaramillo	2001	0154998	\$5.57
Martinescu, Gavril D.	2001	0129554	\$24.54
McGinnis, Ethel Propst	2001	0087657	\$71.09
Mead, Kirk E.	2001	0154846	\$80.84
Milburn, Charles Fred	2001	0142514	\$35.54
Mims, Terrance Marcelle	2001	0102680	\$35.95
Moore, Alvah Dewayne	2001	0156862	\$31.77
Morrison, Ava Stamey	2001	0148508	\$41.20
Nantz, Terry Blaine	2001	0080135	\$12.94
Neff, Laura Ruth	2001	00139141	\$15.50
Odom, Syreeta Fontana	2001	0153880	\$25.78
Parker, Marcie Smith	2001	0141807	\$50.35
Parker, Robert Dennis	2001	0067223	\$22.79
Powell, Samuel Coy Jr.	2001	0080503	\$24.17
Pyse, David Arnold	1998	0136059	\$71.93
Quesada, Cindy (Harkey)	2001	0117819	\$21.62
Ravey, Robin Brewer	2001	0145806	\$9.89
Reep, Jacob Wayne	2001	0154940	\$14.81
Reeves, Horace Joe Lewis	2001	0076360	\$55.02
Reynolds, Ricky A.	2001	0146130	\$3.99
Robinson, Lula Propst	2001	0152255	\$4.17
Rogers, Neva Ullonda	2001	0156962	\$25.26
Rucker, Denise Mackey	2000	0145828	\$57.18
Santiago, Rosibel Araya	2001	0143815	\$89.11
Schrum, Jimmy Dale	2001	0121675	\$41.25

Seagle, Peggy Kiser	2001	0092608	\$46.72
Simmons Real Estate	2001	0144187	\$42.56
Smith, Clyde Thomas	2001	0102279	\$27.94
Smith, Delisa King	2001	0104831	\$96.67
Stull, April Joy	2000	0150787	\$88.54
Taylor, Tommy Eugene	2001	0156978	\$25.86
Thompson, Gregory Brent	1994	0101053	\$93.40
Tierney, Patrick M.	2001	0134894	\$11.96
Ugalde, Ofelia	2001	0127579	\$62.55
Uplinger, April Kathleen	2001	0152211	\$9.99
Valdes, Steven Jose	2000	0140174	\$11.96
Wagenknecht, Carla Beaver	2000	0150486	\$22.32
Walker, Henry Dixon	2001	0152553	\$19.58
West, Kenny Ray	2001	0126315	\$18.01
Woods, Angela Beth	2001	0080566	\$16.43
Wooten, Sommer Nixon	2000	0150543	\$1.36
		TOTAL	\$3,159.40

NAME	YEAR	A/C NO	AMOUNT
Belton, Scottie Ray	2001	0156924	\$206.97
Brooks, Anthony Scott	2001	0072251	\$111.51
Cook, Walter David	2001	0149552	\$104.65
Courtney, Kevin James	2001	0152132	\$132.04
Covington, Jo Nelia	2001	0148794	\$114.38
Craddock, Darrell Luther	2001	0104930	\$142.66
Fleenor, Kenneth Ray	2001	0097883	\$103.33
Fox, Thurman Roscoe	2001	0131578	\$125.40
Gardner, George & Linda	2001	44060	\$108.57
Gates, Amy Wilis	2001	0138997	\$137.62
General Electric Captial Corp.	2001	0139928	\$265.27
Godwin, Wayne Audrey	2001	0106263	\$121.39
Goodson, Carroll Edward	2001	0156856	\$166.97
Honeys Supermarket Inc.	2001	0156899	\$335.48
Jones, Cynthia Smith	2001	0156436	\$239.31
Kim Leonard Landscaping Inc.	1999	0130171	\$293.96
Leonard, Debra Lynn	2000	0127499	\$176.86
Leonard, Kimley Warren	1998-00	0078722	\$410.26
Moroney, Scott J.	2001	0145481	\$232.95
Nantz, Richard Earl	2001	0065196	\$122.75
Nationsbanc Leasing Corp.	2001	0148392	\$239.15
Norris, Stephen Shane	1997	0126027	\$155.40
Osborne, Jeremy Reed	2001	0156914	\$225.74
Ragan, John Vernon Jr.	2001	0145359	\$102.30

Reynolds, Dorothy Ray	2001	0155525	\$144.91
Routhier, Paul Alan	2001	0120525	\$234.70
Towery, Kenneth Alan	2001	0153863	\$120.29
Utiliquest LLC	2001	0149481	\$115.41
Watts, Tammy Jean	2001	0156252	\$129.09
Williams, Glenn Thomas Jr.	2000	0119572	\$117.38
Wright, Carl David	2001	43707	\$136.91
		TOTAL	\$5,373.61

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (March 15, 2002 to April 15, 2002)

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

NAME	YEAR	DIST	A/C#	AMOUNT
MBA Products Inc.	2001	CITY	25606	\$36.78
McCachern, Jack G.	2001	DED/ELSD	28739	\$40.09
			TOTAL	\$76.87

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

NAME	YEAR	DIST	A/C#	AMOUNT
Avery, Wilford Dwight	2002	ELFD	0108677	\$304.17
Hall, Debra Denise Rhodes	1994-1997	N321FD	35585	\$397.61
Perkins, Holly Poole	2001	PCFD	0117191	\$131.32
			TOTAL	\$833.10

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

NAME	YEAR	DIST	A/C#	AMOUNT
Abercrombie, Jean Freeman	2001	ELFD/ELSD	0153338	\$2.55
American Honda Finance Corp.	2001	CITY	0127614	\$13.70
Bingham, Yugonda Suzette	2000	CFD	0089154	\$30.50
Burnett, Connie Woodard	2001	DFD	0082144	\$18.48
Bynum, Wade Kenneth	2001	CITY	0106673	\$6.40
Childers, Quinton Lee	2001	CITY	0118459	\$7.05
Coley, David William	2001	DFD	0076449	\$6.97
Cribb, Carl	2001	ELFD/ELSD	0076247	\$7.96
Curtis, James D.	2001	CFD	03292	\$12.65
Elrod, Theo	2001	ELFD/ELSD	0128845	\$31.13
Gaddis, James David	2001	SFFD	0103472	\$1.22
Keever, Larry Brice	2001	BCFD	0065751	\$6.32

Killian, Mark Allen	2001	BCFD	0137967	\$11.15
Lee, Louis Dale	2001	CITY	0124699	\$20.59
Munoz, Jorge	2001	CITY	0132034	\$14.09
Ozburn, Hugh Charlton	2001	CFD	0155713	\$64.45
Queen, Deborah Deese	2001	PCFD	0126917	\$15.94
Reep, Darlene Chittister	2001	HCFD	0149564	\$1.21
Reese, Barbara	2001	ELFD/ELSD	0122856	\$7.12
Rhoney, Curt Edmond	2001	NBFD	0156152	\$14.66
Robinson, George A. Jr.	2001	AFD	15345	\$54.41
Rogers, Roger Dale	2001	ELFD/ELSD	0127874-0097129	\$77.70
Sarinana, Patricia Hudson	2001	NBFD	0142436	\$10.76
Tunstall, David Wayne	2001	DFD/ELSD	0097297	\$15.37
			TOTAL	\$452.38

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

NAME	YEAR	DIST	A/C#	AMOUNT
Spencer Promotions Inc.	2001	CITY	0073508	\$222.03
Nantz, William David	1997-2000	ELFD	0115995	\$203.81
Wheels Inc.	2001	CITY	26334	\$180.63
			TOTAL	\$606.47

Budget Adjustment No. 93 by 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. 94 by 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. 99 by the Tax Department to cover the cost of Business Personal Property audits.

Budget Adjustment No. 101 by Emergency Management to increase revenues for departmental services for check received and increase misc. supplies expense account.

Letter of Credit and Contract #24 for Cowans Ford, Section III.

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.

Robin Brown stated that she served on the Lincoln County Board of Education from 1996 until 2000 and feels this is a political effort and ploy on behalf of certain School Board members to assure their reelection bid. She stated that she is against this political fiasco.

Daisy Wright Bryant presented information concerning the water situation on Cloudburst Circle. She requested that the County consider the possibility of running water to Cloudburst Circle. She asked the County to consider obtaining a Community Development Block Grant for this extension of the line if County funds are not available.

Betty Lawing stated that she served on the School Board from 1980 until 2000. She stated that during this time, she got figures from Judy Caudill and Judy Stover and brought these to the attorney. She stated that she was told by the attorney that when something is not broken, why try to fix it. She stated that at this time, Chairman Dellinger spoke against these changes. Ms. Lawing stated that the School Board has voted this change very quickly. There were 6 people at the public hearing and all six voted against it. She stated that she is opposed to this change.

Carrol Mitchem spoke concerning the School Board election issue. He stated that people feel more comfortable going to people from their district and he is opposed to the change.

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

Recommendations from the Planning Board from May 6, 2002:

Parallel Conditional Use Rezoning No. 73 – Milton Keener, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to recommend approval with the condition that all water lines and taps meet Lincoln County standards except for hydrant requirements.

Commissioner Anderson stated that he has concerns, because this Conditional Use Permit has been in place for some time. He stated that it seems a bit unique that we have a serious situation with the residents of Cloudburst Circle with their wells going bad and now are discussing backing off requirements on a well system. He stated that he has some difficulty with the contention that the county will never be able to supply water. He stated that this seems to him that this would not be an appropriate action.

Chairman Cochrane stated that he questions the statement that the County will never run water there, because he thinks in the near future water will be run there. He stated that if the County does run water, everything will be in place.

Commissioner Saine stated that as a Realtor and Appraiser, she has a client that is interested in property in this area. She asked to be excused from voting on this matter.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to excuse Commissioner Saine from this vote.

Chairman Cochrane presented the following findings of fact.

Application # PCUR #73 Date 5/6/02

Applicant's Name Milton Keener

Applicant's Address 856 Hoffman Road
Lincolnton, NC 28092

Property location: Asbury Church Road

Existing Zoning P-R

Proposed Conditional Use Major subdivision with 75 homes

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES NO X
Factual Reasons Cited: Eliminating the taps, which are currently required under the existing PCUR, would very likely serve to make it less likely that fire hydrants would ever be installed.
UPON MOTION by Commissioner Anderson, the Board voted 4 – 0 (Commissioner Saine excused) to deny finding #1.
2. The use meets all required conditions and specifications. YES NO X
Factual Reasons Cited: This would be an exception to standard County policy. 4 – 0 to deny
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES NO X
3 – 1 to deny.
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 X 2 – 2 to deny.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to deny the request.

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

Zoning Map Amendment No. 414 – Catawba Springs Land Co., applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 5 – 0 to table request for further information.

Mental Health Issues – Dr. Monteic Sizer: Dr. Monteic Sizer stated that he is concerned about the inadequate treatment mental health consumers receive from Pathways due to a service delivery system and a management team that do not work. He asked the Board to look into the services that Pathways delivers.

Method of School Board Elections: David Black, Attorney for the School Board, explained how the School Board got to where they are. In February or March, Tony Jenkins raised the concern about confusion with the inside the city seat. There are currently six members elected from districts and one elected at large. All seven are voted on at-large. The confusion was whether someone who lived in the Ironton Township, but still resided in the city limits could run for the city seat. House Bill 1476 gives us the current districts as they are now. Mr. Black stated that he ran across a case, Moore Vs. Knightdale Board of Elections, which states that to be eligible to run for an office, you have to be able to vote for that office. He stated that what they are asking for is that the three seats that are coming up at the 2002 election run at large and be voted on at large. Then, before the 2004 election, the Board of Education, Board of Commissioners, and Board of Elections work out a district scheme that would meet constitutional muster.

Chairman Cochrane stated that there are two options, leave it the way it is and risk a challenge or to vote for supporting the change for at-large voting and be fairly safe that it could not be challenged in court. He stated that it seems to him that the will of the people of Lincoln County are very much opposed to that.

Jeff Taylor, County Attorney, stated that Mr. Black has stated the ruling correctly. He stated that we've gone 20 years without a challenge. He stated that the worst case scenario in a challenge would be a court situation similar to the legislative election. This way either they or the School Board would have to straighten it out.

Commissioner Anderson stated that a third option would be working with the School Board to work on these districts. Since this problem has been around for 20 years, the courts might be benevolent if we should get challenged if we show them that having been informed of this circumstance that we began to work with the School Board for the 2004 election. He stated that the Board is being asked to move fairly quickly on this and he has not had time to study it.

Commissioner Saine stated that it seems to her that this is a very complicated issue and she is in agreement with Commissioner Anderson, that work should begin for the 2004 election.

UPON MOTION by Commissioner Saine, the Board voted unanimously to take no action on this other than to set up a different voting method for 2004.

Road Naming Public Hearing: April Sprinkle stated that the only road name being submitted for the Board's approval is Betterbrook Lane. The road is currently named Lincoln View #3. This is continued from the March 18 and April 15 meetings, and was requested by residents. Thirty-two residences will receive an address change.

Chairman Cochrane opened the Public Hearing on Betterbrook Lane.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing closed.

UPON MOTION by Commissioner Craig, the Board voted unanimously to accept the road name Betterbrook Lane.

Chairman Cochrane called for a short recess.

Chairman Cochrane called the meeting back to order.

Resolution to Call for Alcoholic Beverage Election: Jeff Taylor, County Attorney, presented the following Resolution for the Board's approval.

UPON MOTION by Commissioner Anderson, the Board voted 4 – 1 (Commissioner Craig against) to approve the Resolution to Call for Alcoholic Beverage Election.

**RESOLUTION TO CAL FOR
ALCOHOLIC BEVERAGE ELECTION**

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 Lincolnton city limits causes the tax revenues 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; and

WHEREAS, on February 18, 2002, the Lincoln County Board of Commissioners voted to request that the Lincoln County Board of Elections hold an election on alcoholic beverage sales in Lincoln County and confirmed the issues it wished to be submitted to the voters by resolution on March 4, 2002; and

WHEREAS, at its meeting on March 5, 2002, the Lincoln County Board of Elections scheduled an election on these issues to be held on May 7, 2002; and

WHEREAS, by order dated March 12, 2002, the North Carolina State Board of Elections delayed all primaries, elections, and referenda set for May 7, 2002; and

WHEREAS, the Lincoln County Board of Commissioners now wishes to request again that the Lincoln County Board of Elections hold an election on alcoholic beverage sales and submit issues to the voters of Lincoln County.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, pursuant to North Carolina General Statute 18B-601, that the Lincoln County Board of Commissioners requests that the Lincoln County Board of Elections hold an election at the earliest practical time on the propositions specified on the proposed sample ballot attached hereto as Exhibit A and incorporated herein by reference.

Adopted this 20th day of May, 2002.

LINCOLN COUNTY

By: _____
Jerry W. Cochrane
Chairman, Board of Commissioners

ATTEST:

Amy S. Long, Clerk to the Board
Of Commissioners

HCCBG County Plan for 2002 – 2003: Erma Deen Hoyle stated that Lincoln County is eligible for Home and Community Care Block Grant funding for Older Adults. She requested the Board's approval for the proposed 2002-2003 County Funding Plan.

The total amount of funds is \$263,265, with a local match of \$29,252. The money will go to Senior Services and to DSS. The Lincoln County Council on Aging has approved this funding plan.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the Home and Community Care Block Grant.

Report from Forestry Service: Elizabeth Snyder presented the Report of Accomplishments for the Division of Forest Resources for January through March, 2002.

Presentation of e-Community Plan: Audrey Setzer, Dante' Patterson, and Tom Foss, presented information concerning the e-Community Plan. In November, 2001, Lincoln County received a grant from the Rural Internet Access Authority in the amount of \$10,000 to engage in planning for the creation of an eCommunity in Lincoln County. A steering committee, consisting of 14 members of the Lincoln County community, was appointed, and has been working to identify issues and solutions since January. Three Community Forums, one each in the eastern, central, and western parts of the County were held in February and March 2002. A total of some 100 people attended and generated issue ideas in four areas: access, training, applications, and infrastructure.

Ongoing competitive funding from the Rural Internet Access Authority is expected to be forthcoming in each of the four areas identified above. At this time, only the Access and Training initiatives have been announced for proposal preparation.

Access: In an effort to leverage the equipment and high speed access available at the current library and Senior Center sites, the Steering Committee intends to request \$12,000 (the maximum amount available to each county) to create a 'lab in a box' – six to eight laptop computers, a projector to allow an instructor to show material on the wall, and the wireless network to allow the computers to share Internet access. This lab will allow for instructors to move around the County, delivering training and public access from any currently "wired" location.

To extend the utility of this equipment, the Steering Committee has worked with the Sheriff's and Emergency Management offices to identify additional uses of this equipment for disaster and emergency management coordination. The Sheriff has begun to locate a large federal surplus tour bus to be used as a mobile operations center, replacing the current obsolete equipment. Emergency Management has identified a funding source which would allow the 'lab in a box' to be set up in remote locations and connect to the emergency services networks via a satellite connection. This partnership will be formalized and coordinating procedures documented as resources become available.

Training: The RIAA has indicated that they will award 33 competitive grants, of up to \$20,000 each, to County, non-profit, or other organizations to deliver enhanced training in computer and Internet use to citizens. The Steering Committee intends to work with Gaston College to apply for one of those grants, with the intent of using the 'lab in a box', supplemented by the satellite communications facility, to deliver training at remote locations throughout the County.

The Lincoln eCommunity Steering Committee requested that the Commission take the following actions:

1. Accept and endorse the eCommunity Plan prepared by the Committee.
2. Designate the County as the Fiscal Agent for the RIAA grant applications.
3. Permit County staff to expend effort to support these grant initiatives.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the 3 requests.

NCDOT Enhancement Projects: Audrey Setzer stated that the North Carolina Department of Transportation (NCDOT) held a teleconference on Wednesday, April 24th at CPCC regarding the NCDOT Enhancement Program. NCDOT is asking for project nominations for its Transportation Enhancement Program, a cost reimbursement program that preserves history, expands transportation options, improves the environment and supports economic progress.

Enhancement funding is federal money set aside by the Transportation Equity Act for the 21st Century (TEA-21) for non-traditional transportation projects such as bike paths, beautification projects and rehabilitating or operating historic transportation facilities. The federal funds made available through this program must be used for specific enhancement projects and related activities. Federal funds awarded are reimbursed as the sponsor incurs costs. The funding cycle is every two years. \$10 million will be available for the 2002 Call for Projects. The project sponsor must be willing to provide at least a 20% cash match, except for Tier 1 and Tier 2 counties where the appraised value of right-of-way can be used in lieu of a cash match. The allocation for Division 12 is \$596,964; which includes Lincoln, Cleveland, Gaston, Catawba, Iredell, and Alexander counties. Submitting an application for enhancement funds is a competitive process. The application deadline submittal date is June 28, 2002. Funding award date is January 2003.

Ms. Setzer requested selection of the project and authorization to proceed with obtaining quotes and preparation of the application. The completed application will be presented to the Board for final approval in June before submitting to NCDOT by the application deadline.

Ms. Setzer presented the following project list:

1. East Lincoln Park
2. Ramseur's Mill Site
3. UDC Building
4. Madison Furnace
5. Mt. Island Educational State Forest
6. Rail Corridor Development (South of City of Lincolnton)

Commissioner Craig stated that over the past few years over \$650,000 has been spent in East Lincoln for one recreation project and less than \$10,000 has been spent for Ramseur's Mill Battle Site. He stated that Rameur's Mill Site can bring in tourism and his preference would be to go with this site.

Commissioner Anderson stated that after sitting through the teleconference, the closer your project can be related to transportation or historical sites, the better chance it has. He stated that he would guess that the Ramseur's Mill Battle site would have the best chance of getting funding.

Commissioner Craig stated that in the request for funding, we could talk with Steve Gurley and tie the City trails with the Battle Site.

Chairman Cochrane asked if the cabin restoration could be included in the grant application also.

Ms. Setzer stated that she will check to see if this could be included.

UPON MOTION by Commissioner Craig, the Board voted unanimously to request a grant for Ramseur's Mill Battle Site.

Finance Officer's Report: Leon Harmon gave the Finance Officer's Report, stating that April is 83% of the fiscal year. Property taxes, current year taxes show collections of \$25.1 million for the period July through April, an increase of \$553,662 from last month and 96% of the current year budgeted revenue.

Sales taxes revenues have been received for three quarters of the year. The last quarterly payment for this fiscal year will be received in mid May. Line item 3231 which is our 1% tax we will receive \$923,892 making a total of \$3,821,234 for the year, which will be \$178,765 below what is budgeted. The collections of the two half cent taxes will be \$650,924 and \$645,324, with yearly collections of \$2,691,921 and \$2,669,653 and will be below budget \$128,079 and \$130,347. The total amount of sales taxes under budget for the year is \$437,191, which is 5% of the total amount budgeted.

Line item 3418 Register of Deeds has exceeded budgeted revenues by \$68,680 and line item 3435 Building and Land Development have exceeded budgeted revenues by \$114,922. The increased collections in these two departments should help makeup for some of the revenue shortfall in sales tax collections.

The Health and Social Services departments are in line with their budgets. Health has revenues of 89% and expenses of 73%. Health has revenues of 89% and expenses of 73%. Health revenues are ahead of schedule due to collections of Home Health which is making up for the past delays in billings due to state computer changes and changes with Medicaid. Social Services revenues are 71% with expenses at 72% of budget.

For the month of April revenues for the General Fund have increased to 85% of budget and expenses are 69% of budget.

Fund 61 Water Fund, revenues are at 93% of budget with expenses at 44%. Water sales are 90% and tap fees are 129% of budget. The new water capacity development fee, which was instituted earlier this year, has generated \$289,257.

Fund 62 East Lincoln Water and Sewer District – revenues are at 102% and expenses are 53% of budget. Sewer tap fees are down at \$420,000 or 68% of budget, but are being made up by sewer fees which are \$872,553 or 153% of budget.

Fund 66 Landfill Fund, revenues are 92% and expenses are 41% of budget. Tipping fees are 88% and availability fees are 97% of budget.

The school bond sale was April 30. The low bidder was UBS PaineWebber Inc. with a net interest cost of 4.7147%. The closing date for these bonds is scheduled for May 31, 2002.

Budget Presentation – Stan Kiser, County Manager: Stan Kiser presented the following Budget Message.

There are two factors that continue to drive the budget in Lincoln County. One is the growth in population and services, particularly schools. The need for additional funds is no better illustrated than in our public schools. A rising school population brought about the need for the \$36,000,000 bond referendum which voters approved in May 2000. The next installment of school bonds for \$19.5 million will alone require an additional \$1.7 million in county funds to service the debt in the coming budget year. Medicaid continues to take a greater share of county resources, \$3.1 million for 02/03, as do services for the population in general. All of these additional needs come in a year in which revenue growth has slowed due to a faltering State economy.

The second factor impacting the county is the State of North Carolina's distressed financial situation. The State is not only unwilling to allow the counties any additional menu of taxing authority, but is intent on withholding funds previously committed to the county. All these factors have greatly impacted the county's budget. The main areas that will see an increase in county dollars are those areas related to public service such as education and public safety.

Certainly few on the receiving end of county spending will be completely happy with this year's budget, but the budget does provide enough money to pay the school bonds plus an 8.5% increase in the current expense portion of school funding. After discussions with the schools this should prove adequate. The proposed budget does maintain the current year's tax rate of 62 cents per \$100 of valuation.

There is a 2.5% cost of living increase included in the budget for county employees. Health insurance is also covered as it was in previous years for county employees.

The 2002-03 proposed budget for Lincoln County is as follows:

General Fund	\$59,956,521
Capital Reserve	5,606,989
Law Enforcement Fund	5,300
Emergency Telephone Fund	578,907
County C.I.P.	119,600
Water & Sewer Fund	4,434,704
East Lincoln Water & District	2,856,748
County Landfill	2,591,886
 TOTAL	 \$76,150,655

The total net budget after transfers is \$70,286,566. This is \$1,646,142 increase over last year's budget.

The 2002-03 proposed General Fund increase \$847,962 or 1.0% more than the 2001-02 budget. The 2002-03 General Fund budget totals \$59,956,521.

The proposed tax rate is .62 in Lincoln County and .15 in the East Lincoln Sewer District.

The Capital Improvement Plan Expenditures are as follows:

\$15,000	Elections – Additional equipment
\$78,415	Data Processing equipment upgrade
\$26,185	Airport – County match for Airport grants 5% of total grant
 \$119,600 Total	

Resolution Requesting That Local Government Revenue Sources Be Made Secure:

UPON MOTION by Commissioner Saine, the Board voted unanimously to approve the Resolution and express support on the Constitutional Amendment.

A Resolution Requesting That Local Government Revenue Sources Be Made Secure

WHEREAS, the county of Lincoln is required by North Carolina law to operate and maintain a balanced budget and comply with the provisions of the Local Government Budget and Fiscal Control Act; and

WHEREAS, the county of Lincoln is required to maintain a sufficient fund balance to operate in a fiscally sound manner and to have adequate reserves in case of emergencies; and

WHEREAS, the Lincoln County Board of Commissioners have a responsibility to provide for the health, safety and well being of the citizens of this community by providing necessary services; and

WHEREAS, the ability of county governments to borrow for capital infrastructure needs is dependent on reliable revenue sources for repayment; and

WHEREAS, adequate revenues are required to carry out the above mentioned responsibilities;

NOW, THEREFORE BE IT RESOLVED THAT the Lincoln County Board of Commissioners respectfully requests that the General Assembly enact legislation that will secure the local government revenue sources and ensure that these revenues are distributed to local governments on a timely basis as set forth by the state's General Statutes.

Jerry W. Cochrane, Chairman

ATTEST:

Amy S. Long, Clerk to the Board

Update on Capital Project Reports: Steve Gilbert gave an update on the Capital Project Reports, highlighting that there is a pre-construction meeting scheduled Wednesday for the Webbs Road Water line. This project should be under construction the first week of June. He reported that the Hoyle's Creek Wastewater Treatment Plant has been demolished and that project is 99 1/2% complete.

Chairman Cochrane asked if the County is responsible for the maintenance of the line to Timken.

Mr. Gilbert stated that we will be responsible.

Update on Ken Scronce: Chairman Cochrane stated that Ken Scronce is an employee of EMS that has been with the ambulance service from the time that the county began paying for the service. He worked continuously when the hospital took it over and is still working for EMS. The issue that he raised is they wondered the fairness of him only having a few years credible service (since the county took over EMS), for a person who's had this same job for all these years caring for it's citizens. According to Bob Willis, everyone knew that they were not county employees and did not have retirement benefits and such. Chairman Cochrane stated that it troubles him that someone's worked either for the county or indirectly for the county, and he's not going to be able to retire with insurance. Mr. Scronce is only asking for the county to pay his insurance at retirement.

Jeff Taylor, County Attorney, suggested considering a policy change. He stated that a slight change could probably be changed to recognize service to affiliate.

Chairman Cochrane asked Jeff Taylor to research this and come back to the Board by the next meeting.

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

Northbrook Township 1

Personnel Board 1

IRB Board 7

The following are Commissioner Craig's recommendations:

APPOINTMENTS

Lincoln Natural Resources Committee

Jerry Geymont

Airport Authority

Kenneth Tucker

UPON MOTION by Commissioner Craig, the Board voted unanimously to appoint Jerry Geymont to the Lincoln Natural Resources Committee and Kenneth Tucker to the Airport Authority.

REAPPOINTMENTS

Board of Equalization and Review

Neil Ferguson

Mark Beam

Neal C. Mullen

Everette J. Heglar, Jr.

Alternate member

Jerry Wright

Lincolnton Planning Board – ETJ

Becky Burke

Board of Health

Jerry Cook (appointment)

Ann Anthony (reappointment)

Dr. William Hitt (reappointment)

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

Calendar: Chairman Cochrane informed the Board that he and Commissioner Anderson will be going to a meeting in Raleigh on May 29 for a meeting with the North Carolina Association of County Commissioners.

County Commissioners' Report: Chairman Cochrane reported on the Indigent Clinic in Lincoln County. He stated that there will be no funding from the County at this time, but they would like to use the Health Department at night for this purpose. Volunteer doctors, nurses, and pharmacies will be used. Grants can probably be received to continue this.

County Attorney's Report: Jeff Taylor reported on the disposition of the Sherrill property and gave the Board options on procedures of disposing of it.

It was decided to wait until fall or until the market picks up.

Other Business: Chairman Cochrane set the Public Hearing for the budget for June 3, 2002 at 7:45 PM.

Recess: The Board recessed until May 21, 2002 at 3:00 PM.

Amy S. Long, Clerk to the Board

Jerry W. Cochrane, Chairman