

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JUNE 18, 2001**

The Lincoln County Board of County Commissioners met in regular session on June 18, 2001 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

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

Others Present:

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

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

**Invocation:** The Invocation was given by Chairman Cochrane at the East Lincoln Water and Sewer District meeting.

**Adoption of Agenda:** **UPON MOTION** by Commissioner Choate, the Board voted unanimously to adopt the agenda adding Item 6a – Department Head Presentations, 6b – Budget Deliberations, and 18a – Annexation Resolutions.

**AGENDA**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

**JUNE 18, 2001**

	7:00 PM	Call to Order
1.	7:01 PM	Adoption of Agenda
2.	7:03 PM	Approval of Minutes
		- May 8, 2001
		- May 15, 2001
		- May 21, 2001
		- June 4, 2001

3. 7:10 PM Consent Agenda

- Tax Requests for Releases
  - Less than \$100 – April 16 – May 15, 2001
  - More than \$100 – April 16 – May 15, 2001
- Sponsored Group Status
  - Heavner Evangelistic Ministry
  - Chamber of Commerce
- Requests for Water Adjustments
- Budget Adjustments 99, 104, 105, 108-137

4. 7:15 PM Public Comments

5. 7:30 PM Recommendations from Planning Board from June 4, 2001

- Conditional Use Permit No. 188 – American Tower, applicant.
- Conditional Use Permit No. 189 – Crown Castle, applicant
- Zoning Map Amendment No. 378 – Bobby Moore, applicant.
- Zoning Map Amendment No. 379 – David and Leesa Hilty, applicant.
- Zoning Map Amendment No. 380 – Tommy Carver, applicant.
- Conditional Use Permit No. 176 – Richard Hunter, applicant.
- Zoning Map Amendment No. 368 – Clifford Brown, applicant.
- Zoning Text Amendment No. 370 – Lincoln County, applicant.
- Zoning Map Amendment No. 373 – Donald Abernethy, applicant.

6. 8:00 PM Budget Public Hearing

7. 9:00 PM ROAP Public Hearing – Erma Deen Hoyle

8. 9:10 PM Order of Collection 2001- 2002 – Madge Huffman

9. 9:15 PM Farmers Market Agreement – Kevin Starr

10. 9:20 PM Resolution Supporting the Construction of a Left Turn Lane from Business 321 onto Finger Mill Road into the Lincoln County Industrial Park

11. 9:25 PM Community Services Transportation Plan – Erma Deen Hoyle

12. 9:30 PM Transportation Coordinator – Erma Deen Hoyle

13. 9:35 PM Beattys Ford/Little Creek Lease Agreements – Erma Deen Hoyle

14. 9:45 PM East Lincoln Community Center Connection to Sewer Line – Erma Deen Hoyle

15. 9:50 PM Bethel Church Pump Station – SCADA System – Jack Chandler

16. 10:00 PM Water Treatment Plant Evaluation – Jack Chandler

17. 10:10 PM Water System Model – Amendment to Contract 20 Year Water System Master Plan – Jack Chandler

18. 10:20 PM Roseland Heights – Jack Chandler

19. 10:30 PM Vacancies

20. 10:35 PM Appointments

21. 10:40 PM Calendar

22. 10:45 PM County Commissioners' Report

23. 10:50 PM County Manager's Report

24. 10:55 PM County Finance Officer's Report

25. 11:00 PM Other Business

Adjourn

**Approval of Minutes – May 8, 2001; May 9, 2001; May 15, 2001; May 21, 2001; June 4, 2001:** Chairman Cochrane presented the minutes of the May 8, 2001; May 9, 2001; May 15, 2001; a correction to the May 21, 2001 minutes; and the June 4, 2001 for approval.

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

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

RELEASES FOR APRIL 16<sup>TH</sup> THRU MAY 15<sup>TH</sup>, 2001

More than \$100 – Vehicles

NAME	YEAR	A/C NO	AMOUNT
BR Lee Products Inc.	2000	0147184	\$174.95
Brown, Daryl Edward	2000	0149882	\$118.77
Callahan, Benjamin F.	2000	0125442	\$275.31

Cornelius, Kenny June	2001	0084111	\$678.59
Degree, Wayne	2000	27007	\$121.07
Douthit, James Arnold	2000	0126585	\$113.42
Eaglewood, Inc.	2001	0065319	\$168.43
Human, Charles Alfred	2001	0091886	\$104.19
Jordan, Marsha Hosey	2000	0116692	\$113.67
Lake Norman Marina Inc.	2000	0066811	\$237.75
Ledoux, Donald Kenneth	2000	0142285	\$106.35
Mackie, Martha Poole	2001	0130421	\$112.00
Mini Academy Day Care	2000	0149031	\$137.50
Morris, Joel Robert	2000	0142898	\$184.04
Morse, Michael Kirk	2000	0141396	\$135.54
Murray, Cathy Marie	2000	0147623	\$103.91
Price, Nancy Heavner	2000	0150769	\$108.22
Ross Builders & Supply Inc.	2000	0064967	\$235.20
Ross, Herman Richard Jr.	2000	0135743	\$193.54
Samedi, Ernst Jr.	2000	0145257	\$109.71
Sun Tours Inc.	2000/01	0065297	\$1,290.24
Towery, Ken Alan	2000	03551	\$121.91
Waldon, Donny Clarence	1998/00	0124664	\$457.36
White, Charles James	2000	0149382	\$160.61
Williams, Mark Wayne	2000	0150564	\$143.06
		<b>TOTAL</b>	<b>\$5,705.34</b>

Less than \$100 - Vehicles

NAME	YEAR	A/C NO	AMOUNT
Addington, Matthew John	2000	0149984	\$85.28
Air Comfort System	2000	0119743	\$86.70
Alfaro, Rodolfo Gerardo	2000	0129754	\$45.92
Armstrong, Lisa Kirby	1999	0093728	\$39.66
Austin, Anthony Charles	2000	0105025	\$38.41
Bess, Paige Rice	2000	0131964	\$67.26
Bills, Michael Lee	2000	0119966	\$7.18
Black, Benita Lynn	2000	0101031	\$4.16
Boyles, Phillip M.	2000/01	0130126	\$29.04
Braddy, Ricky Lee	2000	48061	\$23.58
Brocato, Santi	2000	0130830	\$11.76
Bryant, Dennis K.	2000	0062537	\$68.26
Burgess, Charles Dale	2000	0115322	\$37.24
Burleson, Larry Michael	2000	0076427	\$13.29
Caldwell, Ned	2000	0060196	\$13.75
Campbell, Mark A.	2000	0123932	\$23.42
Catawba Rental Co. Inc.	2001	0065446	\$97.16
Centura Bank	2000	0114455	\$44.02
Christopher, Ashley Bryant	2000	0096290	\$16.97
Cline, Larry T.	2000	33936	\$23.67
Cooke, Ricky Allen	2000	35891	\$5.96
Coppala, Jack Bernard Jr.	2000	0085677	\$3.46
Coppala, Jack Bernard Sr.	2000	0067400	\$3.13
Craig, Oliver	2000	0145092	\$54.19
Creswell, Sarah Devine	2000	0147724	\$37.43
Curran, Rosemeria Causby	2000	0079988	\$21.85
Davis, Craig Richard	2000	0098317	\$8.40
Davis, Matthew Byrne Jr.	2000	0078574	\$4.21

Davis, Ronald Hugh	1999	0090087	\$48.61
Decouto, Tammy Jones	2000	0142207	\$5.00
Dellinger, Russell Lee	2000	0073874	\$21.79
Desantiago, Prisciliano M.	2000	0134383	\$4.81
Difatta, Anthony Thomas	2000	0130019	\$6.55
Duschel, Christopher Brian	2000	0137198	\$72.91
Easter, Carolyn Sherrill	2000	0125230	\$18.43
Elkins, Arvel Edward	2000	0122332	\$7.73
Ewing, Gary F.	1999	0100846	\$50.11
Faulks, Katrina Thompson	2000	0140987	\$21.14
Fowler, Leigh Hinson	2000	0149946	\$44.72
Frasure, Jeanette Richburg	2000	0150559	\$51.47
Frizzell, Herman Dean	2000	0103239	\$52.76
Funderburk, Randy Marvin	2000	0102592	\$39.11
Gilbert, Michael Dennis	2000	0102915	\$2.23
Gilliam, Walker Lee	2000	0149614	\$52.54
Gilliard, Eunice M.	2000	0150552	\$15.19
Gray, James Grover	2001	0122400	\$13.49
Green, Katrina Thompson	1999	0136940	\$33.61
Hager, Kenneth F. Jr.	2000	48322	\$18.21
Harris, Andrew John	2000	30515	\$17.47
Heavner, Sherry Towery	1996-97	0116375	\$7.96
Helms, James D.	2000	08427	\$12.98
Hidden Utilities	2000	0121709	\$20.50
Holland, Terry Lee	2000	0085763	\$31.72
Hot Toys, Inc.	2000	0135166	\$31.78
Houser, Carmie Burt	2000	0078866	\$24.64
Hunt, Donald Franklin	2000	38797	\$17.57
Huss, Theodore Worth	2000	0149935	\$16.18
Hutchinson, Roberta Cornell	2000	0085694	\$8.98
Isaac, Lloyd Donald II	2000	0099003	\$62.24
J & N Inc.	2000	0087307	\$90.61
Johnson, Marion Price	2000	0081746	\$4.45
Jones, Christi Devine	2000	0114780	\$26.13
Kennedy/Black PA	2000	25324	\$4.42
Kester, Bobby Brent	2000	00189	\$59.26
King, Betty C.	2000	09326	\$9.71
Lackey, Hal Enterprises Inc.	2000	0063252	\$68.88
Lail, D. H.	2000	0112300	\$13.37
Laughman, Mary Ann P.	2000	0128053	\$50.40
Lawing, Donald Tod	2000	0113180	\$16.69
Leonard Automatics	2000	25409	\$58.07
Littlejohn, Gene Arthur	2000	0108759	\$38.79
Ly, Luisa Maria	2000	0104804	\$42.65
Manship, John Calvin III	2000	0133696	\$19.00
Martin, John Wiley	2000	0071993	\$24.81
Martin, Scott A.	2000	0127773	\$48.30
Miller, Raymond John	2000	0113930	\$10.01
Morris, Jerry Reid Jr.	2000	0145577	\$49.55
Nazworth, Daniel Anderson	2000	0124239	\$51.29
Nichols, Roger Lee Jr.	2000	0141950	\$53.68
Nielsen, Joelene Ann	2000	0123699	\$23.28
Pasour, Dwight Andrew	2000	0145934	\$9.25
Patterson, Marilyn Louise	1996	0122639	\$29.28
Payne, Ernest R. Sr.	2000	0138747	\$23.84
Pfeifer, Terry L.	2000	30821	\$13.38
Philbeck, Tami Michelle	1999	0111752	\$19.16

Plummer, David Anthony	2000	0103232	\$5.68
Reel Trucking	2000	0120441	\$39.82
Reel, Leroy Neal	2001	0068323	\$59.06
Ross, James Keith	2000	0104897	\$9.69
Rudisill, Kenneth Dwight	2000	0121151	\$62.48
Russell, Gordon D. Jr.	2000	15847	\$39.16
Rutledge, John Andrew	2000	0069261	\$13.14
Sain, Terry Jean	2001	08358	\$10.30
Schronce, Billy Gene	2000	08520	\$10.57
Seagle, John Daniel	2000	0111040	\$48.21
Sellers, B. T. Jr.	2000	01064	\$58.08
Shafer, Christopher Allen	1998	0109545	\$4.36
Shelton, Charlotte Hoyle	2000	0087059	\$24.48
Shew, Donna Smith	2000	0105359	\$85.74
Shimoda, June	2000	31037	\$13.48
Small, Betty Clanton	2000	0068293	\$6.98
Smethers, Arthur P.	2000	0144923	\$87.32
Spencer, James Russell	2000	0086284	\$25.16
Stamey, James Willard	2000	0146553	\$5.69
Tester, Johnny Ray	2000	0108336	\$10.70
Thompson, Haywood Wardell	2000	0135108	\$62.04
Thompson, Rhonda King	2000	0142373	\$62.03
Throneburg, Joe Richard Jr.	2000	0140764	\$8.45
Tritt, Herbert Daniel	2000	0131791	\$76.59
Usery, Danny Charles	2000	0108986	\$26.60
Valdes, Marvin Duran	2000	0128067	\$24.44
Victory Baptist Church	2000	33694	\$40.20
Walker, Donna Anderson	2000	0091150	\$3.10
Walker, Helen Brewer	2000	0076271	\$44.10
Walker, Richard L. III	2000	0122454	\$7.09
Wallace, Cynthia	1999	0108430	\$75.81
Whitlock, Cynthia Ann	1999	0120859	\$10.59
Wilkes Trucking	2000	0121768	\$7.34
Wilson, Marka Dixon	2000	0097918	\$6.08
Withers, Harold Allen	2000	0079993	\$34.33
Woods, Robert Jerry	2000	0081556	\$15.59
Worley, Misty Lynn	2000	0148931	\$9.74
Wyant, Jerry Thomas	2001	0070685	\$8.80

**TOTAL      \$3,749.07**

#### More than \$100

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
Fredell, Robert Edgar	1999/00	0103748	\$170.56
Graham, Charles	1999/00	0120408	\$282.71
Hill, James Michael	1999-00	30635	\$270.65
Kale, Lloyd M.	1999-00	00184	\$238.25
Lawson, John M.	2000	45463	\$123.20
Moore, Carl C III & Robin R.	2000	04112	\$123.20
Thayer, Sterling E.	2000	0126073	\$246.40

**TOTAL      \$1,454.97**

Less than \$100

NAME	YEAR	A/C NO	AMOUNT
Crosby, Sarah Roxanne	2000	0096943	\$47.08
Davis, Gussie Meggs	2000	0104403	\$3.08
Eason, Darlina	2000	0115783	\$43.66
Fletcher, Darryl Lynn	2000	0068793	\$24.29
Fowler, Betty Cherry	1996	0074464	\$52.62
Gamble, Leonard Gregory	2000	0133153	\$13.99
Hall, James A.	2000	39313	\$50.37
Herron, Sandra Shuler	2000	0122646	\$16.78
Huffman, Randall Mack	2000	0105242	\$3.03
Keech, Hollis H.	2000	34318	\$6.65
Leatherman, bobby R.	2000	09964	\$11.70
Ramsey, Charles Edward	2000	0115050	\$29.01
Sadler, Lee Phillip	2000	42430	\$90.09
Saunders, David Gould	1998	0130775	\$50.88
Surgeon, Donald W.	2000	0115098	\$91.90
Townsend, Amy Sue	2000	0062422	\$62.35
Wilson, Marshall Dale	1999	15463	\$33.62
		<b>TOTAL</b>	<b>\$631.10</b>

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the Tax Requests for Releases for April 16 – May 15, 2001.

**SPONSORED GROUP STATUS**

- Heavner Evangelistic Ministry
- Chamber of Commerce

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Heavner Evangelistic Ministry and Chamber of Commerce for Sponsored Group Status.

**ACCOUNTS REQUESTING ADJUSTMENT**

**May 11, 2001 – June 12, 2001**

NAME	ACCOUNT #	ADJUSTMENT	NEW TOTAL	REASON
Rev. Ralph E. Kayler	6140261-00	\$30.54	\$58.62	Leak
Polly & James McClain	5081751-00	\$98.84	\$86.37	Leak
Edward Smith	10221631-01	\$17.73	\$35.33	Leak
Michael Stark, Jr.	10220751-00	\$297.72	\$140.05	Leak
Eva Summer	10223251-00	\$260.90	\$125.20	Leak
Westport Baptist Church	6114251-00	\$140.67	\$156.86	Leak

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the Requests for Water Adjustments.

**Budget Adjustment No. 99 for Social Services for increasing expenditure and revenue line items for funds received for Special Children's Adoption Fund. No county funds involved.**

**Budget Adjustment No. 104 for the Health Department/Environmental Health for food and lodging funds to be used to purchase computer for Environmental Health.**

**Budget Adjustment No. 105 for Cooperative Extension to reflect reversions from Smart Start V.I.P budget which are being made back to Smart Start Partnership.**

**Budget Adjustment No. 108 for Finance to allocate portion of school bond proceeds among various projects to cover current year expenditures.**

**Budget Adjustment No. 109 for Finance to increase budgeted amounts for transfer of restricted sales tax to capital reserve to cover estimate of year end receivable.**

**Budget Adjustment No. 110 for Finance to budget safety expenses.**

**Budget Adjustment No. 111 for Finance to cover legal expenses for year.**

**Budget Adjustment No. 112 for Finance to cover estimated medical examiner expenses.**

**Budget Adjustment No. 113 for Finance to cover County share of Forestry expenses.**

**Budget Adjustment No. 114 for Finance to cover expenses for year YMCA 5,000; Special Olympics 500; NC City County Management Assoc. 500.**

**Budget Adjustment No. 115 for Finance to cover transfer of funds to Mental Health from ABC sales.**

**Budget Adjustment No. 116 for Finance to cover expenses for year.**

**Budget Adjustment No. 117 for Finance to reduce budgeted fund balance.**

**Budget Adjustment No. 118 for Finance to reduce amount budgeted to construct new convenience sites since new sites have been cancelled.**

**Budget Adjustment No. 119 for Finance to use increased tax collections to decrease amount of fund balance.**

**Budget Adjustment No. 120 for Finance to use increased sales tax to decrease amount of fund balance budgeted.**

**Budget Adjustment No. 121 for Finance to use cable franchise fee to reduce fund balance budgeted.**

**Budget Adjustment No. 122 for Finance to decrease fund balance budgeted with increased investment earnings.**

**Budget Adjustment No. 123 for Finance to budget for additional sales tax received by Robert Segal & Assoc. per their review and payment of their share.**

**Budget Adjustment No. 124 for Finance to use excess funds from engineering to decrease fund balance.**

**Budget Adjustment No. 125 for Finance to reduce debt service budget and amount budgeted for fund balance. Able to reduce school debt interest due to lower interest rate on school bonds budgeted.**

**Budget Adjustment No. 126 for Finance to budget additional amount from proceeds of Jail financing to cover expenses to construct animal shelter.**

**Budget Adjustment No. 127 for Finance to increase CIP recreation budget by \$230,238 to cover expenses of east community center using \$130,238 from CIP fund balance consisting of sales tax refunds from prior years and \$100,000 from General Fund.**

**Budget Adjustment No. 128 for Finance to budget for Economic Development project to construct sewer line from Timken to City of Lincolnton.**

**Budget Adjustment No. 129 for Finance to budget for purchase and renovation of former Winn Dixie building for Social Services office space.**

**Budget Adjustment No. 130 for EMS to budget for an increase in expenditures attributed to approximately \$100,000 in past due bills from FY 99-00. An increase in revenues also caused an increase in expenditures. Purchase price of Durango transferred to EMS account.**

**Budget Adjustment No. 131 for Finance to increase Water Fund budget to account for increased revenues.**

**Budget Adjustment No. 132 for Finance to use additional revenue to cover expenses of Sewer District.**

**Budget Adjustment No. 133 for Finance to budget funds to cover expenses in Law Enforcement Fed. Fund.**

**Budget Adjustment No. 134 for Finance to budget for Historical trail at Battleground approved last year.**

**Budget Adjustment No. 135 for Register of Deeds to budget increases to cover overages in Revenue and overage in Expense Accounts as a result of increased revenue.**

**Budget Adjustment No. 136 for Council on Aging for the Senior Services Department to allow expenditure of revenue received for computers and furniture for Senior Center to purchase tables and computers.**

**Budget Adjustment No. 137 for Finance to eliminate amount of fund balance budgeted for water fund.**

**Budget Adjustment No. 162 for Sheriff's Department to cover expense for conceal carry permits.**

**Budget Adjustment No. 163 for Group Home to distribute funds more appropriately within line items as to spending needs. Received additional discretionary funds through JCPC line item 5251 - \$1049 and 5495 - \$3400.**

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Budget Adjustments 99, 104, 105, 108 – 137, 162, and 163.

**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.

**W. J. Waters** stated that he is from the Denver area. He stated that the majority of the Board pledged not to raise taxes when they were running for office. He stated that cutting expenditures is a difficult task. Mr. Waters stated that in it's present form, the budget is totally unacceptable.

**Joe Lawson** asked if the proposed budget is a public record. He stated that he has been denied a copy of the budget.

**Tom Martin** stated asked if every document except closed meetings are open to the public.

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

**Recommendations from the Planning Board from May 7, 2001:**

**Conditional Use Permit No. 188 – American Tower, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval with no conditions.

Chairman Cochrane presented the findings of fact, as approved by the Planning Board for Conditional Use Permit No. 188 – American Tower, applicant.

RECOMMENDATION ON FINDINGS OF FACT  
FOR A CONDITIONAL USE PERMIT

LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP #188      Date: June 18, 2001

Applicant's Name: American Tower Management, Inc.  
Address: 13801 Reese Blvd. West, Ste. 350  
Huntersville, NC 28078

Property Owner's Name: Lessees of B.V. Hendrick Gravel & Sand Co.  
Address: P.O. Box 1040  
Salisbury, NC 28145

Property Location: 6941 Quarry Lane  
Stanley, NC 28164

Existing Zoning: I-G

Proposed Conditional Use: Construction, Operation, and Management of a 275' self-support wireless communication service facility and equipment compound for AT&T Wireless Services, in a 100' x 100' leased area.

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No \_\_\_\_  
Factual Reason Cited: Based on testimony given.
2. The use meets all required conditions and specifications. Yes X No \_\_\_\_

Factual Reason Cited: Due to the information provided. Also, this does meet all requirements within the zoning ordinance.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No \_\_\_\_\_
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 X No \_\_\_\_\_

Factual Reason Cited: Due to the fact that it is near a rock quarry and would be in harmony with the surrounding area.

After having held a public hearing on June 4, 2001, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Planning Board's recommendation and the Findings of Fact as presented for Conditional Use Permit No. 188 – American Tower, applicant.

---

Chairman Date  
Lincoln County Board of Commissioners

**Conditional Use Permit No. 189 – Crown Castle, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval with no conditions.

Chairman Cochrane presented the findings of fact, as approved by the Planning Board for Conditional Use Permit No. 189 – Crown Castle, applicant.

**RECOMMENDATION ON FINDINGS OF FACT  
FOR A CONDITIONAL USE PERMIT**

**LINCOLN COUNTY, NORTH CAROLINA**

Application Number: CUP #189      Date: June 18, 2001

Applicant's Name: Crown Castle South, Inc. Cingular Wireless, LLC  
Address: 9105 Monroe Rd. #150  
Charlotte, NC 28270

Property Owner's Name: William C. Bess, Jr. and wife Rene B. Bess  
Address: 329 Leonard Rd.

Lincolnton, NC 28092

Property Location: Leonard Rd. off Hwy 27 West

Existing Zoning: R-T

Proposed Conditional Use: Wireless telecommunications tower and facility as shownn on application and site plans.

#### FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No\_\_\_\_\_  
Factual Reason Cited: Based on information given.
2. The use meets all required conditions and specifications. Yes X No\_\_\_\_\_  
Factual Reason Cited: Due to the information provided.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No\_\_\_\_\_  
Factual Reason Cited: Will not injure adjoining properties based on the information given.
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 X No\_\_\_\_\_

After having held a public hearing on June 4, 2001, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Planning Board's recommendation and the Findings of Fact as presented for Conditional Use Permit No. 189 – Crown Castle, applicant.

---

Chairman  
Lincoln County Board of Commissioners

Date

**Zoning Map Amendment No. 378 – Bobby Moore, applicant:**

Chairman Cochrane stated that Zoning Map Amendment No. 378 – Bobby Moore, applicant, has been withdrawn by the applicant.

**Zoning Map Amendment No. 379 – David and Leesa Hilty, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve Zoning Map Amendment No. 379 – David and Leesa Hilty, applicant.

**Zoning Map Amendment No. 380 – Tommy Carver, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Zoning Map Amendment No. 380 – Tommy Carver, applicant.

**Conditional Use Permit No. 176 – Richard Hunter, applicant:** Shane Stewart stated that the Planning Board unanimously recommended approval with the following 5 conditions: 1 – Site must meet state regulations – 100 ft setback, 2 – Must adhere to bonding requirement, 3 – Must meet all compliance with code enforcement, 4 – Time frame – 10/31/01 close and meet all compliance requirements, and 5 – Once setback is established code enforcement must come and verify. Cannot dump further materials into site until the setback is in tact.

Chairman Cochrane presented the findings of fact, as approved by the Planning Board for Conditional Use Permit No. 176 – Richard Hunter, applicant.

**RECOMMENDATION ON FINDINGS OF FACT  
FOR A CONDITIONAL USE PERMIT**

**LINCOLN COUNTY, NORTH CAROLINA**

Application Number: CUP #176      Date: June 18, 2001

Applicant's Name:      Richard Hunter  
Address:                    6437 Topaz Lane  
                                  Iron Station, NC 28080

Property Owner's Name:      Same as above  
Address:

Property Location:      6437 Topaz Lane

Existing Zoning:      R-T

Proposed Conditional Use: land clearing and inert debris landfill.

## FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No \_\_\_\_  
Factual Reason Cited: Based on the discussion of the bonding requirement.
2. The use meets all required conditions and specifications. Yes X No \_\_\_\_  
Factual Reason Cited: Based on the proposed text additional of bonding for landfills.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No \_\_\_\_
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 X No \_\_\_\_  
Factual Reason Cited: Will improve the property.

After having held a public hearing on December 4, 2000, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the Planning Board's recommendation and the Findings of Fact as presented for Conditional Use Permit No. 176 – Richard Hunter, applicant, with the following conditions:

- 1 – Site must meet state regulations – 100 ft setback
- 2 – Must adhere to bonding requirement
- 3 – Must meet all compliance with code enforcement
- 4 – Time frame – 10/31/01 close and meet all compliance requirements
- 5 – Once setback is established code enforcement must come and verify. Cannot dump further materials into site until the setback is in tact.

---

Chairman  
Lincoln County Board of Commissioners

Date

**Zoning Map Amendment No. 368 – Clifford Brown, applicant:**

Shane Stewart, Zoning Administrator, stated that the Planning Board voted 6 – 2 to deny Zoning Map Amendment No. 368 – Clifford Brown, applicant.

**A MOTION** by Commissioner Craig to allow the applicant this change of zoning and approve Zoning Map Amendment No. 368 – Clifford Brown, applicant.

**Discussion:**

Commissioner Saine stated that she agrees with Commissioner Craig that this property is on Highway 16 and the applicant is requesting that it be zoned for business instead of residential.

Commissioner Craig stated that the Land Use Plan has pretty much designated Highway 16 as a business district and area. He stated that the Study Committee has forwarded the Board a letter that they unanimously agree that this land should be business.

**VOTE: Unanimously approved.**

**Zoning Text Amendment No. 370 – Lincoln County, applicant:** Chairman Cochrane stated that Zoning Text Amendment No. 370 – Lincoln County, applicant, has been deferred.

**Zoning Map Amendment No. 373 – Donald Abernethy, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval.

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve Zoning Map Amendment No. 373 – Donald Abernethy, applicant.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to move Items No. 11 – Community Transportation Services Plan, No. 12 – Transportation Coordinator, and No. 13 – Beattys Ford/Little Creek Lease Agreements up on the agenda.

**Community Transportation Services Plan – CTSP – Erma Deen Hoyle:** Erma Deen Hoyle stated that a Community Transportation Services Plan (CTSP; usually a 4-yr. Plan) is a requirement of all counties receiving assistance from N C Department of Transportation. The plan for Lincoln County is up for renewal. N Commissioner DOT has selected the firm of Wilbur Smith Associates to prepare the new plan.

The total budget for the plan is \$27,847, with Lincoln County responsible for a 10% local match of \$2,785. This local match is available in the current 2000-2001 Senior Services budget.

This is a requirement to continue to receive DOT funding for the capital and the Transportation Coordinator.

**Transportation Coordinator – Erma Deen Hoyle:** Erma Deen Hoyle stated that the NC Department of Transportation has approved funds to assist in the administrative costs to further coordinate and consolidate our transportation programs. Funding provided by NC DOT totals \$27,993, with Lincoln County providing \$4,940 in local match.

The coordinator position is included in the 2001 – 2002 budget for Senior Services.

The employee hired will be part of the Senior Services staff housed at the Senior Center, but will work with each of the departments and agencies providing Human Services Transportation for clients in Lincoln County. One task of this employee will be to provide staff support and communication with the firm hired to complete the CTSP for Lincoln County. Additional tasks will be completing applications and compiling reports for NC DOT for the transportation grants provided to Lincoln County.

**Beattys Ford/Little Creek Lease Agreements – Erma Deen Hoyle:** Erma Deen Hoyle presented the Lease Agreements for Beattys Ford and Little Creek Access Areas. She stated that this is for the Board's information and will be brought back up in July after the Board has had time to study it.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to allow Erma Deen Hoyle to present Item 14 – East Lincoln Community Center Connection to Sewer Line.

**East Lincoln Community Center Connection to Sewer Line – Erma Deen Hoyle:** Erma Deen Hoyle stated that they have received three bids for the middle section of the sewer hookup for the East Lincoln Community Center. This was originally to have been included in the bids and the project for the force main, but was omitted. She stated that W. K. Dickson has reviewed the bids and recommends accepting the low bid of Castor Plumbing of Cornelius, with a price of \$32,316.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to approve the bid of Castor Plumbing of Cornelius for \$32,316 for the East Lincoln Community Center.

Chairman Cochane called for a recess until the Budget Public Hearing at 8:00 PM. Chairman Cochrane called the meeting back to order.

**Budget Public Hearing:** Chairman Cochrane opened the Public Hearing for the 2001 – 2002 Budget.

**Jacquelyn Reynolds** spoke concerning the bookmobile services part of the Library's budget. She requested that bookmobile funding be left as it was in last year's budget.

**Joe Lawson** stated that at the end of April, it was stated that we were having the best revenue year ever. He stated that the Board should take the excess revenues and take the waste out of the budget, and not burden the taxpayers with a raise in taxes. He asked the Commissioners who signed the no tax pledge if they will honor their word.

**Tom Martin** stated that he would like to go on record opposing this budget as it is written. He stated that this will be a burden on the taxpayers of Lincoln County.

**Terry Brotherton** stated that that this budget contains funds to create a new position, a Special Projects Coordinator. He stated that the salary for this position is around \$36,000

and was custom-crafted with only one person in mind. Mr. Brotherton stated that he understands there is a movement underway to return the County Personnel Office to its previous distinction, by eliminating Mr. Jackson. He asked the Board not to take the Personnel Office backwards.

**Jim Hallman** stated that he served on this Board for six years and was Chairman for two years. He stated that he has heard from a number of department heads that they were instructed to make an additional presentation tonight. He stated that this disturbs him greatly, because these people are dedicated public servants that work for the people of Lincoln County. He stated that he feels the Board is doing a disservice to the department heads of Lincoln County.

**Jason Saine** stated that he is in the market for a house, but may look in another county if the taxes rise. He stated that he agrees with W. J. Waters, Joe Lawson, and Tom Martin. He stated that the Board needs to do more to cut before adopting the budget.

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

**Department Head Presentations:** The following Department Heads gave presentations concerning further cuts and how this would affect the service to the citizens of Lincoln County.

Jim Watson	Lincoln County Schools
Barbara Pickens	Sheriff's Department
Susan McCracken	Social Services
Ron Rombs	EMS
Maggie Dollar	Health Department
Susan Ledford	Emergency Management
Mike Futrell	Fire Marshal
Barry Matherly	Economic Development
Madge Huffman	Tax Department
Dante' Patterson	MIS Department
Kelly Atkins	Building and Land Development
John Avery	Solid Waste
Lesley Levine	Library
Erma Deen Hoyle	Recreation Department/Senior Services

Chairman Cochrane and Commissioner Anderson both thanked the Department Heads for being at the meeting and giving these presentations.

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

**Budget Ordinance:**

**UPON MOTION** by Chairman Cochrane, the Board voted unanimously to pull \$25,000 out of the Contingency Fund and put into Library.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to amend the proposed Budget Ordinance to move \$1,134,727 from Contingency to Schools Current Expense.

***A MOTION BY Commissioner Craig to reorganize the Personnel Department, eliminating the Human Resource Officer – Grade 30 at \$44,005, upgrading the Personnel Assistant – Position 21 – to \$39,866, upgrading the Personnel Technician – Position 25 to \$28,920, and creating a Senior Secretary at \$20,979. The reorganization of this department will net a savings to the county of \$17,459.00***

**Discussion:**

Chairman Cochrane asked the County Manager for comments on the impact of this move from an operations standpoint.

Mr. Kiser stated that they will comply with whatever restructuring the Board wishes to undertake. He stated that they can certainly use the position of Senior Secretary.

Commissioner Saine stated that at one of the budget meetings, this proposal was brought before the Board. She asked why the Board would want to restructure this department when there is finally a Resource Officer who knows the job and where the staff feel like they can speak with this individual in confidence.

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

Commissioner Craig requested that the County Manager look into whether the open position in Building and Land Development should be filed or not.

**LINCOLN COUNTY  
BUDGET ORDINANCE  
FY 2001-02**

**BE IT ORDAINED** by the Board of County Commissioners of Lincoln County, North Carolina:

**Section 1.** The following amounts are hereby appropriated in the General Fund for the operation of the County government and its activities for the fiscal year beginning July 1, 2001 and ending June 30, 2002, in accordance with the chart of accounts heretofore established for Lincoln County:

**GENERAL GOVERNMENT**

Governing Body	\$ 156,642
Administration and Finance	727,028
Safety & Training	53,010
Data Processing	271,652
Elections	391,168
Tax Department	878,711
Revaluation	220,110
Legal	97,500
Register of Deeds	668,521
Public Buildings	1,131,159
District Court	25,955
Central Services	77,805
Special Grants	99,878
	<b>\$ 4,799,139</b>

#### **PUBLIC SAFETY**

Sheriff	\$ 4,036,326
Jail	2,041,389
Communications	1,018,190
Emergency Management	136,159
Fire Marshal	100,460
Emergency Services	236,325
Animal Control	307,564
Forestry	35,645
Medical Examiner	32,525
Ambulance Service	1,884,159
	<b>\$ 9,828,742</b>

#### **ENVIRONMENTAL PROTECTION**

Solid Waste	\$ 641,041
Soil Conservation	88,601
	<b>\$ 729,642</b>

#### **ECONOMIC AND PHYSICAL DEVELOPMENT**

Cooperative Extension	\$ 277,598
Building and Land Development	915,333
Economic Development	229,380
Airport Authority	68,737
	<b>\$ 1,491,048</b>

#### **HUMAN SERVICES**

Health Department	\$ 3,569,492
Mental Health	287,880
Social Services	13,081,948
Veterans Service	47,908
Senior Services	265,389
Juvenile Crime Prevention	259,977
<b>Battered Women</b>	<b>114,644</b>
<b>Gaston Skills</b>	<b>34,125</b>
	<b>\$ 17,661,363</b>

#### **CULTURAL AND RECREATION**

Recreation	\$ 647,537
------------	------------

Historic Properties	7,221
Historical Coordinator	43,187
Cultural Grants	61,912
Library	<u>583,780</u>
	<b>\$ 1,343,637</b>

**EDUCATION**

Lincoln Center Gaston College	\$ 79,542
Schools Current Expense	9,801,011
Schools Capital Outlay	749,224
Communities in Schools	<u>48,750</u>
	<b>\$ 10,678,527</b>

**DEBT SERVICES**

General County	\$ 2,030,788
School System	<u>4,549,698</u>
	<b>\$ 6,580,486</b>

**TRANSFER TO CAPITAL PROJECT FUND** \$ 386,568

**TRANSFER TO CAPITAL RESERVE FUND** \$ 3,962,724

**LOAN TO WATER AND SEWER FUND** \$331,715

**CONTINGENCY** \$ 1,314,968

**TOTAL GENERAL FUND** \$ 59,108,559

**Section 2.** It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

**AD VALOREM TAXES:**

Current Year	\$ 26,101,403
Prior Years	750,000
Taxes-Intangibles	500,000
Inventory Tax	1,110,700
Local Option 1 cent Sales Tax	4,000,000
Local Option 1st 1/2 cent Sales Tax	2,820,000
Local Option 2nd 1/2 cent Sales Tax	2,800,000
Excise Tax Stamps	400,000
Franchise Tax	100,000
Homestead Exemption	61,000
Interest on Investment	700,000
ABC Revenues	25,000
Rents	51,300
Tax Refunds	141,000
Local Occupancy Tax	55,000
Vehicle Rental Tax	<u>10,716</u>
	<b>\$ 39,626,119</b>

**STATE AND FEDERAL GRANTS:**

Law Enforcement	\$ 90,929
Emergency Management	37,011
Veterans Service	2,000

Title III Aging	126,500
DOT Transportation	45,000
Juvenile Crime Prevention	208,230
Soil Conservation	24,726
Battered Women	114,644
Council on Aging	18,250
Cooperative Extension	44,300
	\$ <u>711,590</u>
<b>HEALTH DEPARTMENT PROGRAMS</b>	<b>\$ 2,368,936</b>
<b>SOCIAL SERVICE PROGRAMS</b>	<b>\$ 8,913,450</b>
<b>FEES</b>	
Tax Department	\$ 10,650
Election	13,177
Register of Deeds	280,000
Sheriff	39,000
Jail	56,000
Building and Land Development	740,000
Library	15,800
Court Facilities	100,000
Animal Control	25,325
<b>Tax Collection</b>	<b>203,510</b>
Recreation	15,000
Emergency Ambulance	800,000
	\$ <u>2,298,462</u>
<b>CITY-COOPERATIVE PAYMENTS</b>	
Animal Control	\$ 6,300
Communications	50,000
Recreation Commission	\$ <u>90,000</u>
	<b>146,300</b>
<b>TRANSFERS FROM OTHER FUND</b>	
<b>Capital Reserve Fund</b>	<b>\$ 4,549,698</b>
<b>E-911</b>	<b>474,004</b>
 <b>SALE OF ASSETS</b>	 <b>\$ 20,000</b>
 <b>TOTAL REVENUES</b>	 <b>\$ 59,108,559</b>

Thirty percent (30%) of the proceeds of the first local half-cent sales and use tax and sixty percent (60%) of the proceeds of the second local half-cent sales and use tax are hereby declared to be included in the appropriation for school capital projects and/or debt service. The receipts shall be accumulated in the Capital Reserve Fund for Schools until such time as the funds are appropriated for specific projects or debt service.

The remaining proceeds from the two half cent sales and use taxes are hereby appropriated for other general county needs which may include but not be limited to debt service, capital projects, capital outlay and operating expenses.

**Section 3.** The following amounts are hereby appropriated or reserved in the Capital Reserve Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Transfer to General Fund (Debt Service)	\$ <u>4,549,698</u>
<b>Total School Capital Reserve Fund Appropriations/Reserve</b>	<b>\$ 4,549,698</b>

It is estimated that the following revenues will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Fund Balance Appropriated	\$ -0-
Interest on Investment	50,000
(30% 1st ½ cent)	846,000
(60% 2nd ½ cent)	1,680,000
State School Building	536,974
General Fund Appropriation	<u>1,436,724</u>
<b>Total School Capital Reserve Fund Revenues</b>	<b>\$ 4,549,698</b>

**Section 4.** The following amounts are hereby appropriated in the Law Enforcement Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Operating Expense	\$ <u>4,200</u>
<b>Total</b>	<b>\$ 4,200</b>

It is estimated that the following revenues will be available in the Law Enforcement Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Controlled Substance Excise Tax	4,000
Interest on Investment	<u>200</u>
<b>Total</b>	<b>\$ 4,200</b>

**Section 5.** The following amounts are hereby appropriated in the Emergency Telephone Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Operating Expenses	\$ 509,842
<b>Total Emergency Telephone Fund</b>	<b>\$ 509,842</b>

It is estimated that the following revenues will be available in the Emergency Telephone Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Phone Service Charges	\$ 484,842
-----------------------	------------

Interest on Investments	<u>25,000</u>
<b>Total Emergency Telephone Fund</b>	<b>\$ 509,842</b>

**Section 6.** The following amounts are hereby appropriated in the Landfill Enterprise Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Operating Expenses	\$ 1,256,186
Debt Service & Capital Construction	<u>1,335,700</u>
<b>Total Landfill Enterprise Fund Appropriation</b>	<b>\$ 2,591,886</b>

It is estimated that the following revenues will be available in the Landfill Enterprise Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Availability Fee	\$ 1,897,086
Tire Disposal Tax	45,000
Tipping Fees	372,000
White Goods Disposal Tax	26,000
Sales Tax Refund	4,000
Interest	222,000
Rent Income	4,800
Recyclables	<u>21,000</u>
<b>Total Landfill Enterprise Fund Revenues</b>	<b>\$ 2,591,886</b>

**Section 7.** The following amounts are hereby appropriated in the Water and Sewer (Operations) Enterprise Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Water System Operation	\$ 1,090,869
Water Debt Principal	1,366,232
Water Debt Interest	617,968
Water Treatment Operation	583,738
Sewer System Operation	<u>69,608</u>
<b>Total Water &amp; Sewer Enterprise Fund Expenditure</b>	<b>\$ 3,728,415</b>

It is estimated that the following revenues will be available in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Water Sales	\$ 2,970,000
Water Tap Fees	280,000
Sewer Sales	30,000
Other Revenues	116,700
Loan from General Fund	<u>331,715</u>
<b>Total Water &amp; Sewer Enterprise Fund Revenues</b>	<b>\$ 3,728,415</b>

**Section 8.** The following amounts are hereby appropriated as continuing multi-year projects in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 2001 and ending June 30, 2002:

Elections	15,000
Data Processing	126,600
Airport	Recreation
36,200	
125,000	
Emergency Ambulance	250,000
Library	<u>83,768</u>
<b>Total General County Capital Improvement Project Fund Expenditures</b>	<b>\$ 636,568</b>

It is estimated that the following revenues will be available in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 2001 ending June 30, 2002:

Estimated Revenues	
Transfer from General Fund	\$ 386,568
Contribution from Hospital	<u>250,000</u>
<b>Total General County Capital Improvement Project Fund Revenues</b>	<b>\$ 636,568</b>

**Section 9.** There is hereby levied a unified tax at the rate of 62.0 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2001, for the purpose of raising the revenue listed as "Current Year's Property Taxes" in the General Fund in Section 2. of this Ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$4,360,335,300 and an estimated collection rate of 96.55 percent. The estimated rate of collection is based on the fiscal 1999-00 collection rate of 96.55 percent.

**Section 10.** There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2001; located within the twelve (12) special fire districts for the raising of revenue for said special fire districts. Estimated totals of valuation of property for the twelve special fire districts for the purpose of taxation are as follows:

Fire District	Assessed Value	Rate	2001-02 Tax Revenue	2001-02 Tax Expend.
Alexis	\$ 164,846,945	\$ 0.05	\$ 82,423	\$ 82,423
Boger City	451,669,434	0.05	225,835	225,835
Crouse	133,038,678	0.04	53,216	53,216
Denver	686,992,272	0.04	274,797	274,797
East Lincoln	856,783,395	0.05	428,392	428,392
Howard's Creek	141,346,872	0.05	70,673	70,673
North 321	245,538,966	0.035	85,939	85,939
North Brook	212,259,540	0.05	106,130	106,130
Ore Bank	219,807,647	0.05	109,904	109,904
South Fork	182,791,977	0.05	91,396	91,396
Union	154,149,533	0.05	77,075	77,075

There is appropriated to the special fire districts from the proceeds of this tax the amounts shown under the appropriation column, for use by the special fire districts in such manner and for such expenditures as is permitted by law from the proceeds of this tax. In the event the actual net proceeds from the tax levies exceed or fall short of the appropriated amounts, the actual net proceeds from the tax shall constitute the appropriation from the tax levy.

Lincoln County will continue to serve as collection agent for the City of Lincolnton for the collection of property taxes, as long as this is mutually agreeable between Lincolnton and Lincoln County. Lincoln County shall receive a three percent (3%) collection fee (1 1/2% fee for motor vehicles, for this service, plus unusual expenses as agreed by both parties.

**Section 11.** On October 8, 1990, the Board of County Commissioners adopted "An Ordinance for Lincoln County with respect to imposing a monthly enhanced 911 charge." As stated in this Ordinance, adjustments in the amount of the monthly charge for recurring costs may be made at any time by the Lincoln County Board of Commissioners. It has been determined by the Board of Commissioners that this monthly charge shall remain at the current charge of \$1.00 per month. These funds are needed in order to meet the expenses associated with the enhanced 911 system.

Therefore, effective August 1, 2001, the monthly charge is one dollar (\$1.00) for each exchange access facility subscribed to by a telephone subscriber whose exchange access line or lines are located in Lincoln County which are in the area served by the Enhanced 911 Service. The above monthly charge shall remain in effect until changed by the Lincoln County Board of Commissioners.

**Section 12.** This Budget Ordinance, effective July 1, 2001 authorizes the mileage reimbursement rate of 31 cents per mile where applicable.

**Section 13.** The funds that are used in this Budget Ordinance to fund certain elements in the Landfill and Water Works operations are non-property tax funds.

**Section 14.** The County Manager is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. He may transfer amounts among objects of expenditure within a department.
- b. He may transfer amounts up to \$10,000 between departments of the same fund.
- c. He may not transfer any amounts between funds nor from the contingency or from any capital reserve appropriations.

**Section 15.** The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction, repair projects or design services requiring the estimated expenditure of less than \$10,000.

- b. He may execute contracts for: (1) purchases of apparatus, supplies, and materials, or equipment which are within budgeted appropriations, (2) leases of personal property for a duration of one year or less and within budgeted appropriations, and (3) services which are within budgeted appropriations.
- c. He may execute grant agreements to or from public and non-profit organizations, which are within, budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
- d. He may execute contracts, as the lessor or lessee or real property, which are of one-year duration or less, if funds therefore are within budgeted appropriations.

**Section 16.** Copies of this Budget Ordinance shall be furnished to the County Manager, Clerk to the Board of Commissioners, Finance Director and the Tax Administrator for direction in carrying out their duties.

Adopted this 18th day of June, 2001 .

---

Jerry W. Cochrane, Chairman  
Lincoln County  
Board of Commissioners

**ATTEST:**

---

Amy S. Long  
Clerk to the Board

**A MOTION** by Commissioner Craig to adopt the Budget Ordinance, with a tax rate of .62 cents per \$100 value of property, including the three amendments made, with a 2.5% COLA for employees.

**Discussion:**

Commissioner Saine stated that she has made some recommendations and suggestions at the budget work sessions over the past 2 months. She reviewed these recommendations and suggested that the Board consider passing an Interim budget, without a tax increase, until more accurate figures can be obtained.

Commissioner Craig presented the following list of additional costs in the 2001 – 2002 budget.

**Additional Cost in 2001-2002 Budget**  
(Not in current year's budget)

School Bonds	\$ 1,030,589	2.4479 cents
School Current Expense	1,107,050	2.6295 cents
DSS Bld.	479,718	1.1394 cents
(10 years financing period)		
Medicaid	762,784	1.8118 cents
E. L. Library	59,965	.1424 cents
Timken Sewer Line	79,953	.1899 cents
W. L. Library CIP	83,768	.1989 cents
W. L. Library Operating Costs	27,982	.0664 cents
Employee Health	136,090	.3232 cents
Motor Fuel	51,542	.1224 cents
Electricity, Fuel Oil, and Natural Gas	20,570	.0488 cents
12 deputies (not in last budget)	339,704	.8068 cents
Added maintenance Cost Jail		
Last year under warranty	43,950	.1043 cents
New Animal Shelter		
Maintenance Cost	8,000	.0190 cents
E. L. Community Center		
Staff salary & benefits	31,600	.0750 cents
E. L. Community Center		
Operational cost	19,344	.0459 cents
Elections – Growth		
(9 New Precincts)	99,302	.2358 cents
Airport Authority	20,737	.0492 cents
2 ½ Cola for Employees	365,430	.8680 cents
Economic Development Association	61,980	.1472 cents
 Total	4,830,058	11.4728 cents

(These figures reflect a large majority, but not all, of the additional expenses the county will incur next year.)

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

Chairman Cochrane called for a five minute recess.

Chairman Cochrane called the meeting back to order.

**ROAP Public Hearing – Erma Deen Hoyle:** Erma Deen Hoyle stated that the Rural Operating Assistance Program (ROAP) is provided by the North Carolina Department of Transportation to assist local transportation efforts. The two programs with available funding for Lincoln County include the Work First program, under the direction of the Dept. of Social Services and the Elderly and Disabled Transportation Assistance Program (EDTAP) under Lincoln County Senior Services.

The funding amount available for the 2000 – 2001 budget year is as follows:

Work First	-	\$ 8,036
EDTAP	-	47,621

The EDTAP funding is shared with several agencies that provide transportation services to qualifying individuals. Payments are made from the Senior Services budget on a reimbursement basis to those agencies. Each agency and their allocation as proposed is listed below:

Salem Industries	-	\$ 8,000
A Place to Grow	-	8,000
Services for the Blind	-	1,500
Lincoln Co. Group Home	-	1,000
Senior Services	-	<u>29,121</u>
		47,621

Chairman Cochrane opened the Public Hearing concerning the ROAP Application.

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

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to approve the Certification Statement for the Rural Operating Assistance Program.

**Order of Collection for 2001 – 2002 Taxes:** Madge Huffman presented the Order of Collection for 2001 – 2002 for the Board's approval.

#### **ORDER OF COLLECTION**

**State of North Carolina**

**County of Lincoln**

TO: The Tax Administrator of Lincoln County

Pursuant to North Carolina General Statute #105-321(b), you are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Lincoln, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

---

Jerry W. Cochrane, Chairman  
Board of County Commissioners

ATTEST:

---

Amy Long, Clerk  
Board of County Commissioners

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the Order of Collection for 2001 – 2002.

**Farmer's Market Agreement – Kevin Starr:** Kevin Starr reviewed the Farmer's Market Agreement with the Board.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to approve the Agreement with the City of Lincolnton for the Farmer's Market.

**Resolution Supporting the Construction of a Left Turn Lane from Business 321 onto Finger Mill Road into the Lincoln County Industrial Park:** Barry Matherly presented the Board with the following Resolution.

**RESOLUTION SUPPORTING THE CONSTRUCTION OF A LEFT TURN LANE  
FROM BUSINESS 321 ONTO FINGER MILL ROAD INTO THE LINCOLN  
COUNTY INDUSTRIAL PARK**

**WHEREAS**, the Lincoln County Board of Commissioners believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development by expanding existing industry and recruiting new industry; and

**WHEREAS**, Lincoln County has invested in new infrastructure improvements to retain and attract industry to the Lincoln County Industrial Park; and

**WHEREAS**, RSI Home Products expanded into the Lincoln County Industrial Park because of the county infrastructure improvements and the State of North Carolina's commitment to widen Finger Mill Road due to the increased tractor trailer and automobile traffic; and

**WHEREAS**, two additional industries have committed and commenced construction in the Lincoln County Industrial Park that will further increase tractor trailer and automobile traffic; and

**WHEREAS**, increased traffic turning left from Business 321 onto Finger Mill Road will increase the risk of accidents at this intersection noting that the industrial park's entrance sign was demolished in an automobile accident last year; and

**WHEREAS**, the Lincoln County Board of Commissioners is deeply concerned about public safety implications at the intersection of Business 321 and Finger Mill Road.

**NOW THEREFORE BE IT RESOLVED** that the Lincoln County Board of Commissioners fully support the expenditure of State of North Carolina to fund the construction of a left turn lane from Business 321 onto Finger Mill Road.

Approved this 18<sup>th</sup> day of June, 2001.

---

Jerry Cochrane, Chairman  
Lincoln County Board of Commissioners

ATTEST:

---

Amy S. Long, Clerk  
Lincoln County Board of Commissioners

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the Resolution Supporting the Construction of a Left Turn Lane from Business 321 onto Finger Mill Road into the Lincoln County Industrial Park.

**Bethel Church Pump Station – SCADA System – Jack Chandler:** Jack Chandler presented a proposal from WK Dickson for the engineering work at the Bethel Church Road pump station. This work is needed to enable remote operation and monitoring of the pump station by both the Lincoln County WTP (monitoring & operation) and the City of Lincolnton WTP (monitoring only). On Friday, June 8, 2001, staff members of the City of Lincolnton Public Works, Lincoln County Public Works, and WK Dickson conducted additional tests at the Bethel Church Road Pump Station. The tests showed that the Lincolnton water system could support the operation of the 1,000 gallon per minute pump that is located at the Bethel Pump Station. It was previously thought that only 2 (two) 250 gallon per minute pumps could be operated. The 1,000 gallon per minute pump could give the ability to purchase up to 1,000,000 gallons per day from the City of Lincolnton. The revised cost for including the 1,000 per minute pump in the SCADA project brought the estimated construction cost to \$87,000. With the engineering costs added the total cost is \$107,00

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Contract with WK Dickson for services.

**Proposal for Lincoln County Water Plant Evaluation – Jack Chandler:** Jack Chandler presented a proposal from WK Dickson for an engineering evaluation of the Lincoln County Water Treatment Plant. This evaluation is needed in order for the County to respond to the letter received from the Public Water Supply Section of the Mooresville Regional Office of the NCDENR. The cost of this evaluation will not exceed \$6,000 and will come out of this years budget.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to accept the proposal with WK Dickson for the Water Treatment Plan Evaluation.

**Water System Model – Contract Amendment:** Jack Chandler presented a proposal from WK Dickson to amend the contract for the Water System Model to include a 20-year comprehensive Water System Master Plan. This amendment would increase the contract amount from \$29,500 to \$47,500, an increase of \$18,000. A master plan would be beneficial for years to come not only as a planning tool but also to increase the priority points the County would receive in applying for grants.

Chairman Cochrane stated that he feels this should be deferred until the City and County can do this jointly.

**Roseland Heights:** Jack Chandler presented the revised proposal for the Roseland Heights Community. He stated that he has added a column for the meter installation fee so that it is included in the total amount due. He stated that Mr. Mike Baker of C&M Land Co., the owners of the parcel behind the Roseland Baptist Church, has indicated that they are not interested in participating in the waterline extension.

Mr. Chandler stated that after talking with Shelley Williamson with Centralina Council of Government, he does not feel that a Community Development Block grant could be obtained, because there has to be a health issue. He stated that Ms. Williamson basically told him she did not feel that any grants would be given, due to the fact that there is not a health issue.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Roseland Heights second proposal as presented, giving the option of making payments for 60 months or paying for it all at one time.

Commissioners Anderson and Craig set the community meeting with Roseland Heights for Monday, July 16 at 6:30 PM.

**Annexation Resolutions:** Jack Chandler presented the following Annexation Resolutions for the Board's approval.

**RESOLUTION ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE  
EAST LINCOLN COUNTY WATER AND SEWER DISTRICT  
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of

Commissioners held a public hearing on April 2, 2001, to consider the annexation of certain tracts of real property (described on the maps labeled as Map #1 attached hereto and incorporated herein by reference) that are contiguous to the East Lincoln County Water and Sewer District; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the tracts of real property described are contiguous to the District, with at least one-eighth of the aggregate external boundary of each area coincident with the existing boundary of the District; and

WHEREAS, the Board of Commissioners further finds that the residents of the territories to be annexed will benefit from the annexation; and

WHEREAS, the Board of Commissioners further finds that it is economically feasible to provide the proposed sewer service in the annexed districts without unreasonable or burdensome annual tax levies; and

WHEREAS, the Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the tracts of real property described on the map attached hereto (labeled Map #1) and incorporated herein by reference be and the same are hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 2001.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2001.

---

Jerry W. Cochrane, Chairman  
Lincoln County Board of  
Commissioners

ATTEST:

---

Amy S. Long  
Clerk to the Board

**RESOLUTION ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY TO  
THE EAST LINCOLN COUNTY WATER AND SEWER DISTRICT  
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, Lincoln County is the owner of certain real property (described on Exhibit A attached hereto and incorporated herein by reference) that is noncontiguous to the East Lincoln

County Water and Sewer District and has petitioned the Lincoln County Board of Commissioners, pursuant to North Carolina General Statute 162A-87.1, for annexation of said real property into the District; and

WHEREAS, Lincoln County is the owner of 100 percent of the real property to be annexed; and

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of Commissioners held a public hearing on April 2, 2001, to consider the annexation of said real property; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the proposed annexation meets the requirements of N. C. G. S. 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the real property described on Exhibit A (attached hereto and incorporated herein by reference) be and the same is hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 2001.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Commissioners

---

Jerry W. Cochrane, Chairman  
Lincoln County Board of

ATTEST:

---

Amy S. Long  
Clerk to the Board

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the Annexation Resolutions.

**Parking Lot Expansion – Erma Deen Hoyle:** Erma Deen Hoyle stated that the plan for the parking lot at the East Lincoln Recreation Center only provides 14 spaces. For

\$5,524 additional funding, 36 spaces would be provided and the parking lot would be paved. This is with the redesign of the proposed lot and the alternate plan to increase spaces (12).

**UPON MOTION** by Commissioner Saine, the Board unanimously approved transferring the additional funds from the General Fund to the CIP for parking.

Commissioner Craig mentioned the problem with the water tank at the Vietnam Vets building, which is shared by the Howard Creek Community Building. An estimate for repairing this problem was \$2000 - \$2400. He stated that Erma Deen Hoyle may still have enough money in this year's budget to cover these repairs.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously that if Erma Deen Hoyle has enough money in her budget that this water tank be fixed. The Board authorized the County Manager to transfer the funds as required to repair the tank.

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

\*\*\* Corrected copy – Social Services Board Vacancy Added \*\*\*\*\*

## VACANCIES

Lincoln County Child Protection Team	1
Nursing and Adult Care Home Community Advisory Committee	8
Region F Aging Advisory Committee	
Alternate	1
Delegate	1
Workforce Development Board	1
Library Board	
Catawba Springs Township	1
Howard's Creek Township	1
Regional Library Board	2
Social Services Board	1

**Appointments:** The following are Commissioner Craig's recommendations:

**Reappoint:**

Economic Development Board  
Commissioner Tom Anderson

Child Fatality Prevention Team  
Rebecca Rhoney

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to reappoint the above individuals.

**Calendar:** Chairman Cochrane presented the Board's calendar for July 2001. The Board discussed changing the regular meeting in July from July 16, 2001 to July 23, 2001.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to adjust the meetings in July to meet on July 9 and July 23, 2001.

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

**Finance Officer's Report:** Leon Harmon, Finance Director, presented the Finance Officer's Report.

**Other Business:**

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to establish these as Capital Project Ordinances for the Timken Sewer Project and the DSS Building.

Capital Project Ordinance  
DSS Building Project

BE IT ORDAINED by the Lincoln County Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase of an existing building and vacant land and the renovation of said building for Department of Social Services office space.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the contracts and budget contained herein.

Section 3. The following amounts are appropriated for the project:

Architect	\$175,000
Purchase of existing property	860,000
Renovations	2,965,000
Total	\$4,000,000

Section 4. The following revenues are anticipated to be available to complete this project:

Proceeds G.S.160A-20 financing	\$4,000,000
Total	\$4,000,000

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission and the lending institution.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the lending institution in an orderly and timely manner.

Section 7. The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total funds expended.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Board, and to the Budget Officer and Finance Director for direction in carrying out this project.

Adopted this 18<sup>th</sup> day of June, 2001

Capital Project Ordinance  
Timken Sewer Project

BE IT ORDAINED by the Lincoln County Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of a wastewater pump, pressure and gravity lines needed to connect the Timken Company sewer service to the City of Lincolnton wastewater collection system.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the contracts and budget contained herein.

Section 3. The following amounts are appropriated for the project:

Engineering	\$125,000
Construction	<u>625,000</u>
Total	750,000

Section 4. The following revenues are anticipated to be available to complete this project:

Contribution from General Fund	\$150,000
Proceeds G.S.160A-20 financing	<u>600,000</u>
Total	\$750,000

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission and the lending institution.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the lending institution in an orderly and timely manner.

Section 7. The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total funds expended.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Board, and to the Budget Officer and Finance Director for direction in carrying out this project.

Adopted this 18<sup>th</sup> day of June, 2001

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

---

Amy S. Long, Clerk to the Board

---

Jerry W. Cochrane, Chairman