

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, SEPTEMBER 17, 2001**

The Lincoln County Board of County Commissioners met in regular session on September 17, 2001 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:00 PM.

**Commissioners Present:**

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

**Others Present:**

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

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

**Invocation:** The Invocation was given by Rev. Gary Dittman of Emmanuel Lutheran Church at the East Lincoln Water and Sewer District meeting.

**Adoption of Agenda:** **UPON MOTION** by Commissioner Craig, the Board voted unanimously to adopt the agenda adding Report from MIS as Item 10a and Moving Item 7 to Item 4a.

**AGENDA**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

**SEPTEMBER 17, 2001**

	7:00 PM	Call to Order
1.	7:01 PM	Adoption of Agenda
2.	7:03 PM	Consent Agenda <ul style="list-style-type: none"><li>- Tax Requests for Releases<ul style="list-style-type: none"><li>Less than \$100 – July 16 – August 15, 2001</li><li>More than \$100 – July 16 – August 15, 2001</li></ul></li><li>- Tax Requests for Refunds<ul style="list-style-type: none"><li>Less than \$100 – July 16 – August 15, 2001</li><li>More than \$100 – July 16 – August 15, 2001</li></ul></li><li>- Sponsored Group Status</li></ul>

- Veterans Appreciation Ceremony
- Budget Adjustments 22
- Request for County Flag – Boy Scouts
- Resolution for Litter Sweep 2001

3. 7:10 PM Public Comments

4. 7:25 PM Recommendations from Planning Board from September 10, 2001

- Conditional Use Permit No. 192 – Duke Communication Services, applicant.
- Parallel Conditional Use Rezoning No. 81 – Piedmont Companies, applicant.
- Zoning Text Amendment No. 386 – Lincoln County, applicant.
- Zoning Text Amendment No. 387 – Lincoln County, applicant.

5. 8:00 PM Road Naming Public Hearing – April Sprinkle

6. 8:15 PM Report on Land Use, Business Audit, and Foreclosures – Madge Huffman

7. 8:35 PM Public Hearing – Designation of the Ingleside House and Property as Local Historic Property

8. 8:50 PM Information for Water Grant/Loan Applications

9. 9:05 PM Water Agreement with the City of Lincolnton

10. 9:15 PM Resolution Concerning Sewer Service to New High School to be Built in Eastern Lincoln County

11. 9:25 PM Resolution Concerning Terrorist Attacks on September 11, 2001

12. 9:35 PM Vacancies

13. 9:40 PM Appointments

14. 9:45 PM Calendar

15. 9:50 PM County Commissioners' Report

16. 10:00 PM County Manager's Report

17. 10:10 PM County Finance Officer's Report

18. 10:20 PM Other Business

Adjourn

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

RELEASES FOR JULY 16<sup>TH</sup> THRU AUGUST 15<sup>TH</sup>, 2001

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Dewey W.	2001	0150417	\$8.02
Anderson, Ishma Joette B.	1998	0099024	\$14.71
Arrowood, Willard Lee	2000	0114560	\$13.40
Austin, Anthony Charles	2000	0121730	\$8.86
Ballard, Charles R.	2000	11945	\$15.54
Barajas, Jose Socorro	2000	0151451	\$64.64
Barnes, Timothy Nelson	2000	0147172	\$32.68
Barrett, David Dennis	2001	0147529	\$29.06
Bingham, Shannon Carroll	2001	0087149	\$2.65
Black, Janette Kellie	2000	0151690	\$62.27
Bowen, A. V.	2001	0077914	\$21.38
Brown, Tonya Lynn	2001	0101865	\$37.56
Burgess, Matthew Lane	2001	0114238	\$7.30
Burris, Risden Fuller	2001	0066457	\$24.12
Cabiness, Thomas E.	2001	0126724	\$84.12
Caldwell, Billy Joe	2001	0152600	\$78.70
Carpenter, Patricia Mincey	2001	0152781	\$8.56
Casey, Sabrina Erika	2001	0137951	\$15.66
Chapman, Gary Scronce	2001	0089085	\$15.60
Cheatham, Thomas Elliot	2000	0131756	\$4.48
Classic Properties	2001	0060426	\$86.43
Cline, Howard Willard	2001	21427	\$14.00
Clontz, Ronnie Oneal	2001	0144484	\$53.61
Cody, Jerry Avery	2001	0066279	\$5.22
Continental Coatings Inc.	2000/01	0147035	\$84.48
Cook, Joyce Hooks	2001	0152096	\$57.53
Courtney, Kevin Jams	2001	0152132	\$48.47
Crawfords Leasing Corp. Inc.	2000	0140362	\$15.62
Cross, Renaldo Cealus	2001	0138439	\$5.60
Dallas Pillow Co.	2001	24719	\$70.13
Dallas, Madison Shawn	2001	0117661	\$2.65
Davis, Arthur Jennings	2000	0124576	\$4.08
Davis, Rebecca Ann	2001	0151930	\$30.33
Erby, Willie James	2000	0072052	\$4.75
Ervin, James Kay	2000/01	0101319	\$13.37
Fisher, Jeffery Scott	2001	0112287	\$77.49
Ford, Rebecca Lea	2001	0152854	\$3.21
Gladden, James Raeford	2001	0062676	\$58.99
Goggio, Steven W.	2001	0118105	\$32.98
Gray, John Sidney	2001	0100174	\$13.50
Green, Doris Jenkins	2001	0121680	\$10.55
Gross, Christopher Wade	2001	0095195	\$4.67
Habrat, Daniel A.	2001	0121258	\$18.15
Hall, Terry Wayne	2000	0078801	\$2.75
Harless, Harold Milton	2000	42017	\$40.48
Hartsoe, Rebecca Wesson	2001	0130551	\$6.49

Hawkins, Sherri Lynn	2001	0104464	\$10.26
Hill, Charles William	2000	0089829	\$5.88
Hix, Jean Dennis	2001	0077142	\$7.39
Hollingsworth, Gary Neal	2001	0095653	\$31.62
Hopper, Sheldon Eugene	2000	0089088	\$8.21
Houser, Darrell Ralph	2001	0103368	\$8.62
Hoyle, Dean Alvin	2001	0072110	\$31.02
Human, Charles Alfred	2001	0091886	\$1.53
Hunter, Lynard E.	2000	18430	\$4.96
International Paper Company	2000	0150375	\$21.37
Jordan, Deborah Shuford	2000	0098324	\$4.93
Kennemore, Lisa C.	2001	0131823	\$34.86
Kinley, Jerry Lee	2001	0070441	\$1.02
Kopper, Sonia	2001	0140162	\$8.84
Lackey, Kermit	2001	03540	\$5.57
Lail, Ada Wright	2001	0098118	\$29.17
Lail, Donna Clonch	2001	0137925	\$83.78
Lawing, Woodrow Wilson III	2001	0075195	\$27.79
Lawson, Joseph Brooks	2000	0089741	\$28.88
Ledford, Alvin Jimmy	2001	19153	\$80.34
Ledford, Bobbie Earl	2001	0136164	\$8.10
Locklear, John Floyd	2000/01	0151379	\$11.87
Lockridge, Robert Dean	2001	0091781	\$35.80
Lovelace, Stacey Leigh	2000	0147142	\$34.56
Lunceford, Homer Wayne	2000	0072209	\$20.68
Lynn, Johnny Darrell	2000	0131256	\$13.60
Maddox, Eva Farley	2001	0137187	\$46.19
Maksimiv, Miroslava V.	2001	0120906	\$24.53
Malvaso, Gina Marie	2001	0152285	\$17.60
Mann, Jane Cadle	2000	0147659	\$4.94
Mason, Henry Thomas	2001	0075161	\$16.18
Matson, Kenneth Richard	2001	0113680	\$14.63
McGarr, Christopher S.	2000	0113019	\$0.87
Mease, Kimberly Lynn	1995	0104511	\$34.41
Mitchell, Thomas Alan	1999	0118961	\$5.67
Mollahassani, Parviz	2001	0127705	\$9.64
Morrison, Jim Ernest	2000	0066853	\$1.61
Mt. Vernon Baptist Church	2000	33633	\$73.87
Murillo, Edin	2001	0137744	\$15.19
Nixon, Rhonda Pendleton	2001	0132757	\$4.95
Parnell, Michael James	2001	0152041	\$13.67
Payne, James William	2001	0068021	\$41.81
Puntch, John Franklin	2001	0152809	\$57.89
Purser, Zoe Lee	2001	0068145	\$9.66
Rauzi, Joseph W.	2001	0136490	\$67.42
Redwine, Robert Joseph	2001	0097576	\$1.68
Ringley, Donald Lee	2001	0112298	\$25.14
Rodin, Per	2001	0132319	\$36.03
Sain, Thomas Allen	2001	02934	\$15.80
Saunders, Sharon K.	2001	0152091	\$23.10
Scronce, Timothy Raye	1999/00	0077817	\$53.62
Seagle, John David Jr.	2001	37664	\$20.44
Sharpe, Elizabeth Ann	1999	0152516	\$24.01
Shrum, Alvin Gerald	2000	0096364	\$73.30
Sipe, Berman Keith	2001	20259	\$18.90
Small, Betty Clanton	2000	0068293	\$1.11

Smith, Courtney Leigh	2001	0152199	\$17.78
Smith, Ruby Sherrill	2000	0089219	\$1.84
Spicer, Judy Aiken	2000	0147157	\$21.44
Steinke, Karen Rose	2001	0143115	\$4.58
Stikeleather, David Cranford	2001	0118103	\$1.57
Stiles, Herman Edison	2001	0096971	\$2.28
Stines, James Luther	2000	0087552	\$27.52
Tallent, Harold Eugene	2001	0115905	\$3.47
Taylor, Barry Edwin	2001	0071139	\$46.79
Teague, John Donnie	2001	0102572	\$60.83
Todd, Michael Edgar Jr.	2000	0123260	\$28.09
Trawalter, Michael Marie	2001	0097828	\$26.21
Tugwell, Danny Wade	2001	0152618	\$59.37
Vincent, Timothy Reid	2000/01	00151610	\$35.71
Wadsworth, William	2001	41140	\$75.62
Wallace, Michael Dean	2000	0150031	\$9.46
Walsh, Brian	2001	0140680	\$46.62
Williams, Wesley Wayne	1997	0126020	\$48.80
Woodie, Joseph Alexander	2000	0075681	\$2.30
Wooten, Gregory Michael	1999	0066952	\$14.22
		<b>TOTAL</b>	<b>\$3,163.85</b>

NAME	YEAR	A/C NO	AMOUNT
Avery, Susan Gates	2001	0076928	\$638.34
Angeles, Amelia	2000/01	0147982	\$266.20
Annable, Ross M.	2001	0148264	\$183.14
Anthony, Jaclyn Michelle	2000/01	0138531	\$110.21
Apgar, Donna Hill	2001	0110940	\$145.19
Ash, Samuel W.	2001	0139358	\$216.48
Associates Leasing Inc.	2001	0125516	\$3,240.73
Avery, Forrest Daniel	2001	0147240	\$233.32
Baxter, Jacob Andrew	2001	0090584	\$649.47
Beal, Tony Dwayne	2001	0091803	\$104.99
Belk Shrum Co. #22	2001	24378	\$455.30
Bivens, Bobby Lee	2000/01	0076574	\$236.91
Black, Sam Jr.	2001	06423	\$145.20
Boyles, Nell	2001	0135881	\$548.64
Brown, Charles B. Jr.	2000/01	19562	\$138.00
Bryson, Kathy Lynn	2000/01	0132171	\$289.15
Burgin, Brian Allen	2001	0118608	\$120.87
Buttonwood Corporation	2000	0113878	\$6,659.46
Campbell, Johnathan Max	2001	0075187	\$594.00
Campbell, Kelly (Business)	2001	0143893	\$131.52
Caudill, Chelsie	2000/01	0141602	\$270.60
Central Carolina Sprinkle	2001	35729	\$103.31
Chavez, Alejandro	2001	0110970	\$126.31
Cherry, John M.	2001	0128651	\$142.18
China Wok	2001	0148137	\$582.35
Connor, David Lee	1999-01	04953	\$177.20
Cornerstone Baptist Church	2001	0142602	\$603.26
Coy O Jones dba/Big J Drive	1999/00	0135997	\$267.57
Crouse Volunteer Fire Dept.	2001	0147338	\$324.20
Dolgencorp Inc. DBA/	2001	0151049	\$304.93
Dowdy, Jeffrey Scott	2000/01	0077453	\$180.53

Ethridge, Brian	2001	0148272	\$237.90
Farrell, Patrick L.	2001	0151762	\$134.97
Fleet Finance & Mortgage	2001	24913	\$147.40
Fleetwood Retail Corp. of NC	2001	0148103	\$2,789.03
Gamble, Dewey P.	2000/01	0134688	\$138.00
General Motors Corp.	2001	0123140	\$210.70
Gibson, Eric	2000/01	0130218	\$269.40
Gibson, Ledford Dean	2001	0146365	\$106.42
Harkey, Novella S.	2001	0150862	\$166.50
Heavner, Harold Stephen	2001	02100	\$669.64
Hill, Ruth Eugenia	2001	0150250	\$198.50
Houser, Beauford D.	2001	01193	\$168.50
Howie, Marcus Scott	2001	0092476	\$147.40
Huffman, Tonya	2001	0110926	\$109.08
Kings Forest Inc.	2001	0110437	\$373.63
L & L Sales	1988-01	31893	\$593.32
Lakeshore Press The	2001	0133305	\$222.75
Lee, John C. & Carolyn R.	1996-01	47079	\$414.00
Lincoln County Home Health	2001	0140601	\$132.00
Matthews, Bradley Scott	2000/01	0138820	\$270.60
Mellon, Carolyn C.	2000/01	0103624	\$138.00
Movement Studios DBA	2001	0144248	\$129.42
Myers, Jack H.	2001	0124506	\$154.24
Nierman, Charles Jr.	1999-01	46111	\$276.51
Perkins, Selwyn Ballard	2001	0131047	\$468.18
Petro Express Inc. #40	2001	0151207	\$638.44
Pfauter-Maag Cutting Tools	1999/00	0133316	\$888.25
Pro Tec Performance Group	2001	0148129	\$110.55
Reckers, Donald R.	1999-01	45804	\$120.71
Ritchie, Jennifer Elizabeth	2000	0146897	\$121.00
Sebron Corporation	2001	46371	\$537.58
Shackelford, Larry Ted	2001	0127675	\$144.87
Shiner, Gregory Jay	2001	0129164	\$144.10
Smith, Alfred L.	2000/01	09747	\$138.00
Smith, Jerry Paul Jr.	2001	0081942	\$155.71
Taylor, Max Hill Mrs. (Clara)	2001	01407	\$147.40
Techknow Video DBA	2000	0144343	\$294.25
Warlick, Zokie Wade	2001	03701	\$185.77
		<b>TOTAL</b>	<b>\$30,482.28</b>

NAME	YEAR	A/C NO	AMOUNT
Arnold, Charles Paul	2000/01	0120652	\$64.57
Barnes, Timothy Nelson	2001	0065086	\$29.12
Beard, Randy Dean Sr.	2000/01	0085866	\$12.63
Beaver, Carl Lee	2001	0074452	\$17.73
Beckley, Christopher	2001	45611	\$23.35
Bess, Sherry Webb	2001	0135102	\$78.56
Bradshaw, Larry E.	2001	0106541	\$50.85
Brooks, Ralph L. Jr.	2001	0130087	\$2.97
Brooks, Ralph Lee	2001	0151842	\$22.78
Brown, Robert H.	2001	0138247	\$69.00
Buff, Betty Lou	2001	0122011	\$4.15
Burton, J. Allen Jr.	2001	01790	\$1.11

Campa, Johnny Ray	2001	0098500	\$11.39
Campa, Juan	2001	0082640	\$5.83
Carpenter, William Alex	2001	0086910	\$2.18
Cash, L. C. Homes Inc. (Est.)	2001	0060382	\$8.92
Cheatham, Thomas Elliot	2001	0131756	\$36.67
Clanton, Mary E.	2001	42947	\$18.13
Cosper, Jack R.	2000/01	0108059	\$24.62
Crouse, Jewel D.	2001	0143232	\$17.27
Csora, Jeffery W.	2001	0135642	\$27.09
Davis, Linda C. (Smith)	2001	0134909	\$43.81
Davis, Stephanie	2001	0125410	\$27.06
Eurey, Ray Barnett	2001	0080726	\$9.11
Flanegan, Craig W.	2001	0143124	\$18.46
Fox, Johnnie L.	2001	0150287	\$41.21
Geer Technical Corp. DBA	2001	0151851	\$5.71
Greene, Florence M.	2001	0064580	\$51.59
Hambrick, Jack	2001	0111118	\$20.78
Harkey, Jamie	2001	41971	\$72.60
Harkey, Theresa B.	2001	0138248	\$69.00
Heavner, W. L.	2001	0148246	\$83.14
Horton, Paul Edward	2001	0117920	\$11.06
Horton, Steven John	2001	0129938	\$58.89
Ikerd, Harry Allen	2001	0107910	\$5.37
Jenkins, Rickey Dale	2001	0073623	\$95.64
Johnson, Patricia A.	2001	0136440	\$69.00
Jones, Jacob Lawrence	2001	0096748	\$38.32
Jordan, Gary V.	2001	18936	\$35.57
Keener, Stephanie	2001	0062156	\$61.37
Keever, Richard L.	2001	14476	\$69.00
Kelly, Virginia Ramsey	2001	0140033	\$61.64
Lamberth, Theodore C.	2001	15039	\$14.23
Linco, Inc.	2001	0127646	\$69.00
Marsh Resources Inc.	2001	0141694	\$42.30
Mauney, Kristen Camille	2000	0127373	\$69.00
Motley, Edward L. Jr.	2001	20934	\$59.10
Parker, Charles & Angela	2001	19641	\$1.45
Parleir, Robert	2001	0134858	\$37.99
Perryman, Barry C.	2001	0108075	\$44.81
Phelps, William Andrew	2001	0121317	\$69.00
Rhyne, Billy D.	2001	14721	\$3.61
Richards, Marvin Larry	2000/01	41141	\$37.40
Richey, Laque Michael	2001	0133540	\$32.34
S & H Entertainment Spec.	2000	0140087	\$60.50
Schronte, Toby Shayne	2001	0076426	\$2.17
Sign Here of Lake Norman Inc.	2001	0111093	\$72.16
Smokers Depot	2001	0147472	\$68.08
Spectrasite Communications	2001	0144316	\$41.32
Telecommunication Income	2001	0136702	\$24.36
Testerman, James G.	2001	21174	\$15.99
Towery, Lester C.	2001	43670	\$20.13
Tutterow, Jeffrey Todd	2001	0088336	\$13.27
Waldon, Ralph	2001	36139	\$13.27
Wilson, Ann Elizabeth	2001	0136017	\$11.66
Yoder, Clyde F. Heirs of	2001	04133	\$69.00
Young, Benny J.	2001	40591	\$11.06

**TOTAL      \$2,380.45**

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
Adams, Mary Lucille	2001	0138614	\$121.51
Black, Jason Chad	2000	0150549	\$128.40
Carpenter, Jacqueline McNair	2001	0125233	\$212.51
Catlin, Robert Joseph	2001	0152602	\$155.15
Deschamps, Jennifer Lynn	2001	0149896	\$156.43
Elkins, Chad Eric	2000	0115258	\$173.23
Enterprise Leasing Co.	2001	0145047	\$110.65
Gonzalez, Maria Oralia	2001	0113356	\$117.36
Griffin, Michael Andrew	2000/01	0124330	\$164.57
Grooms, Darin Wayne	2001	0152584	\$154.57
Howell, Leslie Alan	1996/98	0114642	\$125.09
Howell, William Edgar Jr.	2000	0118343	\$114.39
Lorentz, Carolyn Sue	2001	0152186	\$128.61
Material Sales Co.	2001	0130043	\$311.05
Parrish, Theodore Gregory	2001	0152707	\$114.49
Polson, Sandra Dean	2001	0152842	\$100.62
Studdard, Chad Wesley	2001	0137124	\$109.94
Thompson, Denver Carson II	2001	0121256	\$358.40
Viles, Eric Andrew	2001	0140142	\$123.32
		<b>TOTAL</b>	<b>\$2,980.29</b>

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

PERIOD COVERED (July 16 – August 15, 2001)

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

<b>NAME</b>	<b>YEAR</b>	<b>DIST</b>	<b>A/C#</b>	<b>AMOUNT</b>
Avila, German E.	2001	N321	0122588	\$1.31
Baxter, Scott D.	2001	DFD	0119124	7.59
Beattie, Mary Lou	2001	HCFD	0126885	90.02
Bivens, Michael Gene & Marcia B.	2001	NBFD	0098932	2.89
Briggs, Earnest H. Sr.	2001	UNFD	0125599	2.11
Britt, Linda W.	1999	ALFD	0124477	9.40
Brown, Nelson Bramwell	2000	ELFD	0128689	50.72
Bumgarner, Elizabeth Hawkins	2001	BCFD	07544	1.01
Butler, Carolyn Crowder	2001	CRFD	0138278	7.37
Butts, Dennis L. & Ellen R.	2001	ALFD	0123327	10.22
Caldwell, Forrest Jr.	2001	CRFD	0115123	3.23
Callaway, Charlie Wayne	2000	CITY	04941	23.17
Cody, Claude Ray	2001	ALFD	12095	3.29
Cody, Claude Ray & Mary J.	2001	ALFD	0063605	2.22
Crabtree, Sheila	2001	ALFD	0128293	21.44
Deaton, David B. & Carolyn R.	2001	BCFD	0108851	53.48
Dedmon, Ronnie Jetton	2001	PCFD	0080469	2.82
Drum, Carl E.	2001	CITY	48786	11.17

Edwards, Walter W.	2001	N321	13110	4.41
Eurey, Robby	2001	CITY	0134316	30.24
Finger, Robert J. Sr.	2001	SFFD	0123866	2.49
First Federal Savings & Loan	2001	BCFD	0071179	10.91
First Federal Savings & Loan	2001	NBFD	0064063	69.00
First Federal Savings & Loan	2001	NBFD	46714	5.12
First Federal Savings & Loan	2001	SFFD	07624	1.31
First Federal Savings & Loan	2001	BCFD	12235	1.35
First Federal Savings & Loan	2001	PCFD	0110808	2.16
Foodman, Surane Hunter & Karres	2000	N321	0063927	12.18
Gibson, Eric	2000	ELFD/ELSD	0130218	67.12
Gilbert, Jeanette L. (Heirs of)	2001	UNFD	03894	12.07
Glance, Timothy P. & Sarah P.	2001	N321	0120367	9.24
Goodman, Ronald A.	2001	NBFD	0148642	5.73
Goodson, Martha	2001	SFFD	0124403	1.77
Hager, Billy M.	2001	ELFD	17328	1.88
Hull, Bonnie Estate of	2001	NBFD	0084508	11.47
HSBC	2001	PCFD	0132854	21.90
Herter, John Fredrick & Janice Carol	2001	CITY	49532	24.32
Holland, Ethel M.	2001	CITY	0064618	7.43
Hoskey, William H.	2001	ELFD/ELSD	0144000	14.58
Houser, Larry T. & Jeanne M.	2001	CITY	07305	4.07
Houser, Pauline B.	2001	NBFD	0139962	12.52
Houser, Pauline B.	2001	HCFD	0128300	1.94
Hubbard, Chester A.	2000	DFD	0123314	9.05
Imperial Business Credit Inc.	2001	DFD/ELSD	0120137	4.95
Johnson, Timothy Warren	2001	HCFD	0086846	1.47
Jones, Mary Louise H.	2000	ELFD	18887	7.62
Lackey, Jerry P. & Vickie	2001	BCFD	14979	39.45
Lake Electric Co. Inc.	2001	PCFD	0104908	47.93
Lander, Mildred	2001	CITY	0141599	6.40
Lewis, Lena	2001	UNFD	03816	8.64
Lincoln County Coalition Against Domestic Violence	2001	CITY	0098462	37.31
Lockman, Michael D. & Patti S.	2001	ALFD	16192	26.26
Loftis, Jerry J. & Wilma	2001	ALFD	0148651	2.49
Long, Larry G.	2000	NBFD	0138062	22.91
Lovelace, Jonathan & Carla	2001	HCFD	0139834	20.03
McGinnis, Bobby Gene	2001	CRFD	10195	69.00
McRae, Joseph C.	2001	ELFD/ELSD	0082744	2.46
Millon, Edith	2001	CRFD	0147978	2.90
Moore, Arnold	2001	CITY	08528	7.34
Moore Printing Inc	2001	CITY	42910	13.89
Motes, Jon David & Janice A.	2001	ELFD/ELSD	20931	87.57
Neff, Stephen James	2001	DFD	0135792	2.53
Nivens, Howard Dean & Kelly H.	2001	PCFD	0110111	4.12
Nixon, Mabel Y., Living Trust	2001	ELFD	0134852	24.54
Pen LLP	2001	DFD/ELSD	0139322	42.30
Pendleton & Pendleton	2001	PCFD	0085574	2.91
Propst, Allan N. & Penny	2001	PCFD	11371	10.13
Propst, Billie S.	2001	UNFD	0135932	6.09
Pyant, Brenda K.	2001	CITY	0139901	19.04
R & K Trucking Inc.	2001	NBFD	25847	9.05
Sain, Gerald Mark	2001	CITY	0087521	1.17
Smith, Fred Junior	2001	UNFD	0139416	7.70
Stamey, Janice Simmons	2001	BCFD	15966	15.40
Waits, Stephen	2000	CITY	09015	31.70
Wright, Jerry E. Sr. & Margaret H.	2001	SFFD	15856	1.68

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

**PERIOD COVERED (July 16 – August 15, 2001)**

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

NAME	YEAR	DIST	A/C#	AMOUNT
Apgar, Donna Hill	1998-2000	SFFD	0110940	\$431.09
Associates Housing Finance	2001	SFFD	0135875	485.91
Bank of America	2001	BCFD	0113793	321.73
Dellinger, Michael C. & Jackie	2001	CRFD	05626	225.10
First Federal Savings & Loan	2001	NBFD	0143684	432.52
Gibson Greetings Inc.	2001	CITY	0151076	320.90
Hoyle, Roy F. & Beatrice H.	2001	HCFD	02833	544.91
Keener, Thomas F.	2001	PCFD	0135429	157.19
Leasing Services Inc.	2001	CITY	0080369	103.42
Miller, Rhonda G. & Steven K.	2001	DFD/ELSD	0130851	1,481.18
Suman, Raymond P. & Verlen W.	2001	DFD	21026	110.65

**LINCOLN COUNTY TAX DEPARTMENT  
REQUEST FOR REFUNDS  
MOTOR VEHICLES**

**PERIOD COVER (July 16 – August 15, 2001)**

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

NAME	YEAR	DIST	A/C#	AMOUNT
Alexander, Kathryn M.	2001	UNFD	0124446	\$14.90
Arrowood, John Paul	2001	CITY	0075021	1.82
BP Drainage Works Inc.	2001	ELFD/ELSD	0129986	18.83
Bolick, Jonnie Smith	2000	UNFD	0142225	3.13
Burgin, Barry Presley	1999	CITY	0136252	17.29
Byrd, Timothy Frank Jr.	2000	UNFD	0126931	14.66
Calloway, Richie Eugene	2000	CITY	0140244	13.37
Carolina Bugg Busters, Inc.	2000	SFFD	0128612	25.71
Carver, Larry Mayfield	2000	ALFD	0146173	24.71
Cherry, Thomas Stephen	2001	ELFD/ELSD	21148	21.21
Chrysler Corp.	2000	DFD/ELSD	0125239	71.50
Cool Springs Enterprises, Inc.	2001	DFD	0064013	9.00
Corrales, Jose Bernardo	2000	CITY	0150519	79.07
Creative Solutions	2000	ELFD/ELSD	0121141	4.94
Crigler, Totie Estep	2000	ALFD	0151419	5.87
Cundiff, Patricia Ann	2000	CITY	05151	6.33
Decouto, Tammy Jones	2000	CITY	0142207	11.86
Decouto, Tammy Jones	2000	HCFD	0142207	1.75
Ellis, Shelley Taylor	2000	CITY	0147570	1.09
Ferrellgas	2001	CITY	0121798	71.27
Fortenberry, Rhonda W. & Randall Ray	2000	CRFD	0145949	2.36
Gibson, Stephen Eric	2000	ELFD/ELSD	0124593	38.56
Grigg, Edmond Andrew Jr. & Edmond Wyant Jr.	2000	UNFD	0127480	64.29
Helms, Billy Gene Sr.	2001	PCFD	14914	5.25
Hester, Wendy Renee	1998	N321	0128506	18.93
Hill, Charles William	2000	DFD/ELSD	0089829	5.88
Horton, Bryant S.	2001	ELFD/ELSD	18149	15.28
Houser, Christopher Leon	2000	CITY	0094317	3.81
Houser, Kimberly Dawn	2000	UNFD	0113754	13.92
Howard, Ronald Lee	2001	DFD	18239	30.80
Howard, Ronald Lee	2001	DFD	0065473	80.41
Johnston, John Harold	2000	DFD/ELSD	0138679	24.12
Jolley, David Scott	2000	CITY	0116445	1.29
Justice, Barbara Sue	2000	UNFD	0142088	31.65
Kresge, Eugene Joseph Jr.	2000	DFD/ELSD	0139374	19.63
Lawing, David	2000	DFD	0100697	9.14

Leonhardt, Timothy Ray	2000	CITY	0123084	2.14
Leonhards Alarm Services Inc.	2000	ELFD/ELSD	39610	24.47
Littlejohn, Julius A.	2000	BCFD	10657	2.39
Lucas, Robert Ray	2000	ELFD/ELSD	0141877	1.03
Lunceford, Homer Wayne	2000	DFD	0072209	20.68
Maksimiv, Miroslava V.	1998-2000	CITY	0120906	79.92
Moore, Lee & Ethel	2001	PCFD	20795	3.80
Morrison, Jim Ernest	2001	CRFD	0066853	74.28
Norman, Lynn W.	2000	NBFD	00588	1.37
Overstreet, Charles Duane	2000	CITY	0134375	31.35
Owens, Penny Aldridge	2001	BCFD	0129775	19.24
Perry, James Owen	2000	BCFD	0143604	3.82
Phelps, Patrick Eugene	2000	N321	0100622	5.14
Propst, Allan Nelson	2001	PCFD	0068551	6.14
Riddle, Lisa Anne	2000	SFFD	0122135	2.08
Roush, Dennis	1999	ALFD	0129735	4.04
Sharpe, Elizaeth Ann	2001	NBFD	0152516	3.06
Sipe, Berman Keith	2001	ELFD/ELSD	20259	18.90
Smith, Robert Edward	2000	ELFD/ELSD	0077835	22.08
Socorro, Andres Maria Del	2000	UNFD	0139730	27.97
Spake, Ricky James	2000	CITY	16673	28.94
Steven G. Tate	1996	DFD	0071304	7.92
Taylor, Larry Dean	2001	BCFD	0069455	25.39
Tipton, Daniel C. & Elizabeth D.	2001	SFFD	0109785	9.51
Warnock, Danny Wesley	2000	ELFD	0087236	1.05
Wehunt, Terry Andrew	2000	HCFD	0075941	12.23
Welch, Charles Justin	2000	CRFD	0137725	27.65
Westport Tree & Landscaping	2000	DFD	0071420	12.26
Woods, Darlene	1999	SFFD	0118616	4.93

**LINCOLN COUNTY TAX DEPARTMENT  
REQUEST FOR REFUNDS  
MOTOR VEHICLES**

**PERIOD COVERED (July 16- August 15, 2001)**

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

NAME	YEAR	DIST	A/C#	AMOUNT
First Union National Bank	2001	ELFD/ELSD	0132242	\$125.92
Frazier Engineering PA	2000	ELFD/ELSD	0150629	135.81
Howell, William Edgar Jr.	2000	CITY	0118343	115.24
Ledford, Jan Devenney	1997-2000	CITY	0066362	604.44
McLean, Edwin	2000	N321	0091521	109.15

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Tax Refunds and Releases for July 16 – August 15, 2001.

**SPONSORED GROUP STATUS  
- Veterans Appreciation Ceremony**

**Budget Adjustment No. 22 for Economic Development to allocate Department of Transportation funds to construct road at Industrial Park. Funds going through County to Economic Development Association.**

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Sponsored Group Status for the Veterans Appreciation Ceremony and Budget Adjustment No. 22.

**REQUEST FOR COUNTY FLAG – PIEDMONT COUNCIL OF BOY SCOUTS**

**UPON MOTION** by Commissioner Craig, the board voted unanimously to allow Mr. Kiser to donate a flag to the Piedmont Council of Boy Scouts.

**LITTER SWEEP  
2001  
PROCLAMATION**

WHEREAS, the North Carolina Department of Transportation's Office of Beautification annually organizes a fall roadside cleanup campaign to ensure clean roadsides throughout our State; and

WHEREAS, a fall LITTER SWEEP campaign has been planned for September 17 – 30, 2001, to clean our roadsides, help educate the public about the harmful effects of litter on the environment, and give every organization, business, government agency and individual the opportunity to take responsibility for cleaner roads in Lincoln County and North Carolina; and

WHEREAS, Adopt-A-Highway volunteers, community and civic organizations, inmates, community service workers, local governments, and many concerned citizens participate in these cleanups and may receive a Certificate of Appreciation for their hard work; and

WHEREAS, the natural beauty and a clean environment are a source of great pride for Lincoln County and North Carolina, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the 2001 fall cleanup will improve the quality of life for all of Lincoln County and North Carolina and will celebrate the 13<sup>th</sup> Anniversary of the North Carolina Adopt-A-Highway program;

Now, THEREFORE, the LINCOLN COUNTY BOARD OF COMMISSIONERS, do hereby proclaim September 17-30, 2001, as "**FALL LITTER SWEEP**" in Lincoln County, and urge all citizens to participate in keeping our roadsides clean and to reduce solid wastes.

**UPON MOTION** by Commissioner Choate, the Board voted unanimously to approve the Litter Sweep Proclamation.

**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.

**Ray Holmes** spoke concerning the upcoming Resolution Concerning the Sewer Service to the new High School. He thanked the Board for deleting the Sewer District from the cost of running this line and connecting to the system, while sitting as the East Lincoln Water and Sewer District Board.

**Sylvia Holmes** invited the Commissioners to the ELBA meeting on September 25 at 7:30 p.m. at East Lincoln High School. She stated that at this meeting, the fundraising committee for the East Lincoln Library will kick off the fundraising campaign.

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

**Public Hearing – Designation of the Ingleside House and Property:** Chairman Cochrane opened the Public Hearing on the Designation of Ingleside House and Property as local historic property.

Barry McKinnon, Land-Use Coordinator, stated that in accordance with the Historic Properties Ordinance, the Lincoln County Historic Properties Commission recommends the designation of the Ingleside House and Property as local historic property. The local historic designation must be done in ordinance form. The United States Department of the Interior has entered the Ingleside House and Property on the National Register of Historic Places. The National Register is a list of properties “significant in American history, architecture, archeology, and culture – a comprehensive index of the significant physical evidences of our national patrimony.” The Ingleside House and Property was registered on April 13, 1972.

The North Carolina State Historic Preservation Office, in accordance with the Lincoln County Historic Properties Ordinance was given an opportunity to comment on the respective designation reports. The North Carolina State Historic Preservation Office reported that the report that was submitted for the Ingleside House and Property was adequate information to deem the Ingleside Site as a landmark designation (worthy of preservation).

Chairman Cochrane asked about the tax implications for being designated a Historic Site.

Kelly Atkins stated that it is 50% off and would begin next year.

Commissioner Craig stated that the Historic Properties Commission is trying to establish guidelines to build in more restraints and stiffer criteria to the current rules, so they won’t be flooded with people just trying to get a tax break.

Chairman Cochrane asked if the 243 acres of land would be protected as well as everything on the land.

Kelly Atkins stated that it includes the land and the house itself. He stated that if they wanted to do something to the land, they would have to go to the Historic Properties.

**Tom Howard**, Chairman of the Historic Properties Commission, stated that a number of these properties have been designated in the past, but it’s been a while since one has come before the Board.

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

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to grant this Historical Properties Designation for the Ingleside House and Properties.

**Recommendations from the Planning Board from August 6, 2001:**

**Conditional Use Permit No. 192 – Duke Communication Services, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted unanimously to approve the request with no added conditions. He stated that he received a copy of the letter sent by Jeff Lynn to Duke confirming that his request to install lighting on the

tower is a recommendation, the FAA doesn't require lighting on towers less than 200'. Mr. Lynn is recommending and requesting lighting on the tower.

Bill Amann stated that Duke originally contemplated a 250' tower, but in deference to the residents there, they made the decision to go at 190' to prevent lighting. He stated that the site itself has any number of electric transmission towers that are anywhere from 120' to 150' in height and they run 700 to 1000' apart, connected by strings of high tension wires. On the dam itself is a microwave tower that is about 95' in height above the dam. None of these are lighted. He stated that if it is required that the tower be lighted, it would fall into the hands of the FAA and they would have the decision on the appropriate kind of lighting. He stated that in all likelihood, it would be white strobe lights in the daytime and constant red lighting in the evening.

Chairman Cochrane presented the findings of fact, as approved by the Planning Board for Conditional Use Permit No. 192 – Duke Communication Services, applicant.

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

#### LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP #192      Date: September 17, 2001

Applicant's Name: Duke Communication Services  
Address: 400 S. Tryon Street  
Charlotte, NC 28201

Property Owner's Name: Duke Power Company  
Address: 400 S. Tryon Street  
Cherryville, NC 28201

Property Location: 256 Duke Lane (Cowans Ford Hydro)  
Stanley, NC 28164

Existing Zoning: I-G

Proposed Conditional Use: 190' self-supported telecommunication tower with ancillary telecommunication equipment in shelters and outdoor cabinets.

#### FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

2. The use meets all required conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.  
**Factual Reasons Cited:** Duke Power owns surrounding land.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.  
**Factual Reasons Cited:** Zoning and Land Use Plan call for Industrial.

After having held a Public Hearing on 9/10/01 and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve the Planning Board's recommendation and the Findings of Fact as presented for Conditional Use Permit No. 192 – Duke Communication Services, applicant, adding the recommendation of Jeff Lynn to require that the tower be lighted.

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Chairman  
Lincoln County Board of Commissioners

Date

**Parallel Conditional Use Rezoning No. 81 – Piedmont Companies, applicant:** Randy Hawkins, Zoning Administrator, stated that the applicant has withdrawn the application, so no action is needed by the Board.

**Zoning Text Amendment No. 386 – Lincoln County, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted unanimously to recommend this amendment.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve Zoning Text Amendment No. 386 – Lincoln County, applicant, based on the Planning Board's recommendation.

**Zoning Text Amendment No. 387 – Lincoln County, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board unanimously recommended approval that “Laboratories” dental, medical, optical and research” be allowed as a use by right in the General Business (B-G) District.

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to approve Zoning Text Amendment No. 387 – Lincoln County, applicant, based on the Planning Board's recommendation.

**Report from MIS – Dante’ Patterson:** Dante’ Patterson requested additional fund allocation in MIS’ CIP budget to offset non-budgeted projects and that were pulled out of their budget to handle repair situations. He stated that another item that he needs to discuss is the replacement of the tape system for the county’s primary computer system, the AS400.

Mr. Patterson reviewed the expenditure items, including repair and replacement of fiber optic cable when a tree fell on the line and relocation of a pole at the Bank of America building. These totaled \$32,193 that was not budgeted. The build of the GIS interface, which was approved by the previous Board, was also an expenditure of \$15,549 to date. There was also an expenditure for Internet Appropriate Use Software. Those three projects resulted in \$49,910 worth of expense from last year’s CIP budget, which there was no allocation for.

The second item is an amendment to his budget proposal. He stated that they tried to make this tape system work for another year, but it is not going to hold up. The cost of this item is \$8550.

Commissioner Saine asked whether insurance would cover the expense from when the tree fell on fiber optic cable.

Mr. Patterson stated that he is not sure whether it would be covered or not.

Commissioner Saine asked when the GIS would be up and running on the website.

Mr. Patterson stated that MIS is really strapped as far as staff goes. He stated that there was hardware needed and also security measures. He stated that he would do everything possible to have this ready by November 1.

Commissioner Anderson requested that staff look into whether any insurance claim can be made for the damage done by the tree limb, why the County got saddled with the cost of relocating the line from Bank of America and if there is not some party that the County might recover some of the cost from.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to allow the two expenditures, one already spent and one to be spent.

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

**April Sprinkle** stated that Azalea Trail will now be Jasmine Lane. Two private roads with multiple residences are being named Kyle Street and Hartsell Trail. Two road names are being submitted for acceptance, to correct GIS centerline information. These two are Overland Lane and Willow Cove Lane.

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

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

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

**Report on Land Use, Business Audit, and Foreclosures – Madge Huffman:** Madge Huffman presented the Board with an update on Land Use, Business Audit, and Foreclosures.

**Information for Water Grant/Loan Applications:** Jack Chandler, Director of Public Works, presented the following Resolution for State Revolving Fund Loan Application.

**RESOLUTION FOR STATE REVOLVING FUND  
LOAN APPLICATION**

**WHEREAS**, The Federal Clean Water Act Amendments of 1987, Federal Safe Drinking Water Act Amendments of 1996, and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems and

**WHEREAS**, The County of Lincoln has need for and intends to construct a water supply system project described as improvements to the existing water distribution system including two (2) elevated storage tanks, booster pump station relocation and 65,800 lineal feet of distribution main extensions.

**WHEREAS**, The County of Lincoln intends to request state loan assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF  
COMMISSIONERS OF THE COUNTY OF LINCOLN:**

That the County of Lincoln will adopt and place into effect on or before completion of the project a capital reserve fund into which surplus revenues from such charges and fees will be placed for the purpose of capital improvements to the water supply system.

That the County of Lincoln will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Stan B. Kiser, Manager, and Jack I. Chandler, Director of Public Services, and successors so titled, are hereby authorized to execute and file an application on behalf

of the County of Lincoln with the State of North Carolina for a loan to aid in the construction of the project described above.

That Stan B. Kiser, Manager, and Jack I. Chandler, Director of Public Services, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the County of Lincoln has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the \_\_\_\_ day of September, 2001 at Lincoln County, North Carolina.

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Jerry W. Cochrane, Chairman  
Board of Commissioners

#### CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the County of Lincoln does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the \_\_\_\_ day of September, 2001; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of September, 2001.

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Amy S. Long, Clerk to the Board

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the Resolution for State Revolving Fund Loan Application.

**Water Agreement with the City of Lincolnton:** Jack Chandler presented the Water Agreement with the City of Lincolnton, pointing out the changes from the existing agreement.

STATE OF NORTH CAROLINA

COUNTY OF LINCOLN

**AGREEMENT CONCERNING WATER SUPPLY BY AND BETWEEN THE  
CITY OF LINCOLNTON AND THE COUNTY OF LINCOLN TO SELL AND/OR  
EXCHANGE WATER INTO THE RESPECTIVE SYSTEMS**

**THIS AGREEMENT**, made and entered into this the 6<sup>th</sup> day September, 2001, by and between the **CITY OF LINCOLNTON**, a municipal corporation organized and existing under the laws of the State of North Carolina, hereinafter referred to as "City", and the **COUNTY OF LINCOLN**, a body corporate and a political subdivision of the State of North Carolina, hereinafter referred to as "County";

**WHEREAS**, the City currently owns and operates a Water Treatment Plant that has a treatment capacity of 9,000,000 gallons per day, and the County currently owns and operates a Water Treatment Plant that has a treatment capacity of 3,000,000 gallons per day; and

**WHEREAS**, the County water production is approaching maximum capacity, and the City has a surplus of water available for sale from its treatment facilities and system; and

**WHEREAS**, the City is agreeable to selling water to the County to supplement the water available for sale to the customers of the County.

**NOW, THEREFORE**, the parties hereto agree for themselves, their successors, and assigns as follows:

**1. AMOUNT OF WATER.** The City hereby agrees to sell to the County an amount not to exceed 1,000,000 gallons per day. The water sold will meet all of the standards of the North Carolina Department of Environment and Natural Resources; provided, however, the County agrees that the condition of the water after its delivery to the County through meter(s) will be the sole responsibility of the County.

**2. PURCHASE PRICE AND LIMITATIONS ON WITHDRAWAL.** The County agrees to pay to the City a sum of \$1.25 per 1,000 gallons for the first 11,250,000 gallons and \$1.15 per 1,000 gallons above 11,250,000 gallons in each billing cycle.

The rate of withdrawal by the County will not exceed 1,000 gallons per minute for a consecutive two-hour period. If at any time the gallon/minute withdrawal rate of the County reduces the City's residual pressure below 35 PSI, the City will have the right to immediately reduce the gallon/minute withdrawal rate by the County in such an amount as to raise the City's residual pressure above 35 PSI.

The aforesaid price and the rate of withdrawal will not be changed for the three-year period from November 20, 2000 through November 19, 2003. That at any time after November 19, 2003, the City reserves the right to adjust the price and rate of withdrawal schedules.

**3. INTERCONNECTION OF WATER LINES AND METERING STATIONS.** The interconnection of water systems and the location of the

metering stations will be determined by using the City staff, the City consulting engineering firm and/or the County engineer or the County consulting engineering firm, and these decisions will be made based upon usual and customary engineering data and practices, subject to the following provision. Provided, however, that the County's water system will be monitored at the Bethel Church Pump Station and at the Pumpkin Center Tank. The information will be transmitted to the Lincolnton Water Treatment Plant for monitoring. Telemetry will be installed by the County at the Bethel Church Pump Station and the Pumpkin Center Tank so as to provide visual monitoring at the Lincolnton Water Treatment Plant. All necessary equipment for the aforesaid telemetry monitoring will be installed and fully operational at both locations no later than March 1, 2002.

**4. DURATION AND TERMINATION.** This agreement will automatically terminate on the 19<sup>th</sup> day of November, 2005, subject to the following provision. Provided, however, the City will have the absolute right to terminate this Contract, upon eighteen (18) months written notice to the County, at any time prior to the aforesaid fifth anniversary if water production at the Lincolnton Water Treatment Plant reaches eighty percent (80%) of the plant's capacity. Upon twelve (12) months written notice to the County, the City may reduce the maximum daily amount of water sold to the County to 250,000 gallons; and upon six (6) months written notice to the County, the City may reduce the daily amount of water sold to the County to 500,000 gallons.

**5. EXISTING CONTRACTS.** The parties acknowledge that they have heretofore entered into a number of contracts and agreements concerning water utility services, and they hereby agree that this Agreement does and will hereafter supersede any and all prior contracts and agreements concerning water utility services between the City and the County. The City and the County hereby declare that all prior contracts and agreements concerning water utility services between the parties are null and void and of no effect hereafter.

**6. CATASTROPHIC MALFUNCTION.** The City will not be liable for its failure to provide water under the terms of this agreement in the event of a catastrophe, act of God, or a malfunction of its water system which interrupts or limits the City's ability to supply water pursuant to this Agreement.

**IN WITNESS WHEREOF,** the City of Lincolnton and the County of Lincoln have caused this Agreement to be executed by their Mayor and Chairman of the Board of Commissioners, respectively, their corporate seals to be affixed and attested by their clerks, all by the authority of the respective governing bodies of each party to this Agreement, as of the day and year first above written.

**CITY OF LINCOLNTON**

**COUNTY OF LINCOLN**

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**Bobby G. Huitt, Mayor**

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**Jerry Cochrane, Chairman**

**Lincoln County Board of  
Commissioners**

**ATTEST:**

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**City Clerk**

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**Clerk to the Lincoln County Board  
of Commissioners**

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the Water Agreement with the City of Lincolnton.

**Resolution Concerning Sewer Service to New High School to be Built in Eastern Lincoln County:**

**RESOLUTION CONCERNING SEWER SERVICE TO  
NEW HIGH SCHOOL TO BE BUILT  
IN EASTERN LINCOLN COUNTY**

WHEREAS, The Lincoln County Board of Education is currently in the process of making construction plans for a new high school to be located at the intersection of N. C. Highway 150 and Lee Lawing Road in eastern Lincoln County, said construction scheduled to be completed by April 1, 2003;

WHEREAS, the site of the new school is not currently served by public sewer facilities; and

WHEREAS, in the absence of public sewer facilities, construction of the new school would necessitate construction of a package plant facility to provide for the sewage disposal needs of the new school; and

WHEREAS, the East Lincoln County Water & Sewer District operates a sewer system in eastern Lincoln County and has the capacity to serve the new high school if lines are run to connect the new school to the existing East Lincoln County Water & Sewer District system; and

WHEREAS, connection to the East Lincoln County Water & Sewer District System would be more favorable to the environment than construction and operation of a package plant to serve the new school and would be in the best interests of the citizens of Lincoln County; and

WHEREAS, the Board of Education and the Lincoln County Board of Commissioners have agreed to share equally in the cost of running the necessary lines from the existing sewer system to the site of the new high school; and

WHEREAS, current estimates indicate that the construction of the said lines will cost approximately \$800,000; and

WHEREAS, in November, 2000, using proceeds of the school bonds, approved by Lincoln County voters in May 2000, the Board of Commissioners approved the purchase of a certain parcel of real property consisting of approximately 32 acres along Highway 16 in eastern Lincoln County for a possible future school site; and

WHEREAS, the Board of Commissioners and the Board of Education have now agreed that the said 32-acre site is not the best location for a future school and have decided that said 32-acre tract should be declared surplus property and sold; and

WHEREAS, the Board of Commissioners and the Board of Education have further agreed that upon sale of the 32-acre site, the proceeds of the sale should be returned to the bond fund to provide for future school needs, including sewer service to the new high school; and

WHEREAS, the Boards agree that upon construction of the sewer line to serve the new high school, one half of the cost of the sewer lines will be paid from the proceeds of the 2000 school bonds and one-half will be paid by the County; and

WHEREAS, the Boards further agree that the Board of Education, as owner of the site of the new high school, will take the necessary steps to request voluntary annexation of the site into the District in accordance with the regulations of the District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. That the Lincoln County Board of Commissioners will take the necessary steps to declare the 32-acre Highway 16 site surplus property and sell it.

2. That the proceeds of the said site will be returned to the bond fund created by the 2000 school bonds approved by Lincoln County voters.

3. That the Lincoln County Board of Commissioners, the Lincoln County Board of Education, and the governing body of the East Lincoln County Water & Sewer District will cooperate in making the necessary arrangements for the construction of sewer lines to connect the site of the new high school with the existing sewer system.

4. That the Lincoln County Board of Education will take the necessary steps to request voluntary annexation of the new high school site into the District in accordance with the regulations of the District.

5. That one-half of the cost of the sewer lines will be paid from the proceeds of the 2000 school bonds and one-half will be paid by the County.

6. That the new sewer lines will be completed by April 1, 2003.

7. That this resolution will become effective upon approval by both Boards referred to herein.

This \_\_\_\_ day of \_\_\_\_\_, 2001.

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Jerry W. Cochrane, Chairman  
Lincoln County Board of Commissioners

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Jean S. Dellinger, Chairman  
Lincoln County Board of Education

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Jim R. Watson, Ed.D, Secretary  
Lincoln County Board of Education

ATTEST:

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Amy S. Long, Clerk to the Board

Commissioner Saine stated that she has a problem with the sale of the 32-acre site on Highway 16. She stated that at the time the transaction took place, Dr. Eaddy called the site an ideal location. Commissioner Saine stated that she feels the Board should hang onto this land in addition to the land that was donated for a school.

Commissioner Craig stated that he feels this land will be a hard sale. He stated that that out of the 32 acres, he has been told that there are only 9 usable acres.

Commissioner Anderson stated that he was not on the Board when this site was purchased, but has serious reservations about putting a school on Highway 16. He stated that to introduce this type of traffic onto Highway 16 would raise significant safety concerns for the children going to and from this school.

**A MOTION** by Commissioner Anderson to accept the Resolution subject to being modified to remove any language which would suggest or indicate that the East Lincoln Sewer District is going to participate in the cost of this line.

**Discussion:**

Commissioner Saine stated that Catawba Spring School is about 2 miles from the property on Optimist Club Road that has been donated. She stated that there will be an 800 home development and two elementary schools within two miles.

Commissioner Choate suggested taking numbers 1 and 2 out of the resolution and going ahead with running the sewer.

Chairman Cochrane stated that the reason that numbers 1 and 2 are in the resolution is to provide funding.

Commissioner Craig stated that one of his concerns is that the prior owner of the property was told some things by the prior Board and the prior School Board that really enticed him to allow more right of ways, etc. He stated that this gentleman feels like he is being let down by disposing of the land and not using it for a school. Commissioner Craig stated that one of his biggest concerns is that the county get back what was paid for the property.

**Vote: 3 – 2    AYES: Cochrane, Anderson, Choate  
NOES: Saine, Craig**

**Resolution Concerning Terrorist Attacks on September 11, 2001:** Chairman Cochrane presented the following Resolution for the Board's approval.

**RESOLUTION CONCERNING TERRORIST ATTACKS  
ON SEPTEMBER 11, 2001**

**WHEREAS**, on September 11, 2001, the United States of America was suddenly and brutally attacked by foreign terrorists, and;

**WHEREAS**, these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, DC, and;

**WHEREAS**, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders, and;

**WHEREAS**, these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

**WHEREAS**, these horrific events have affected all Americans. It is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud,

**THEREFORE, BE IT RESOLVED** that the Lincoln County Board of Commissioners condemns the cowardly and deadly actions of these terrorists, and;

**BE IT FURTHER RESOLVED**, that the Lincoln County Board of Commissioners support the President of the United States, as he works with his national security team to defend against additional attacks, and find the perpetrators to bring them to justice, and;

**BE IT STILL FURTHER RESOLVED**, that the Lincoln County Board of Commissioners recommends to its citizens to support relief efforts, including the donation of blood.

Adopted this the 17<sup>th</sup> day of September, 2001.

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Jerry W. Cochrane, Chairman  
Lincoln County Board of Commissioners

ATTEST:

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Amy S. Long  
Clerk to the Board

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

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

## **VACANCIES**

Nursing and Adult Care Home Community Advisory Committee 7  
Region F Aging Advisory Committee

Alternate	1
Delegate	1

Library Board

Catawba Springs Township	1
Regional Library Board	2

Recreation Commission

Lincolnton Township	1
Howard's Creek Township	1
Catawba Springs Township	1

## **APPOINTMENTS**

Centralina Work Force Development Board –  
James H. Mauney, II

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to appoint James H. Mauney, II to the Centralina Work Force Development Board.

**Calendar:** Chairman Cochrane presented the Board's calendar for October, 2001.

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

Mr. Kiser presented a memo from Erma Deen Hoyle concerning the use of the former Oaklawn School property as a neighborhood park by the Lincolnton Recreation Commission. Elements to be developed in the park would include a soccer/multipurpose field, renovation to existing backstop for softball (on the multipurpose field), renovation of the outdoor basketball court, benches, and a future walking trail.

The Board discussed the possible sale of this property and agreed to get an appraisal done on the property.

Commissioner Craig suggested sending Miss North Carolina Ashley House a telegraph from the County wishing her luck.

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

Chairman Cochrane suggested establishing a task force to go through county properties to see which properties need to be kept and which need to be declared surplus and put on the market.

Commissioner Anderson requested aerial photographs of each site with color photos showing land and structures on each county owned property.

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

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Amy S. Long, Clerk to the Board

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Jerry W. Cochrane, Chairman