

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 15, 2000

The Lincoln County Board of County Commissioners met in regular session on May 15, 2000 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 5:30 PM.

Commissioners Present:

James A. Hallman, Chairman
Terry L. Brotherton, Vice-Chairman
Beth H. Saine
W. J. Waters, Jr.
John R. Gamble, Jr.

Others Present:

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

Call to Order: Chairman Hallman called the meeting to order.

Invocation: Commissioner W. J. Waters gave the Invocation.

Pledge of Allegiance

Adoption of Agenda: UPON MOTION by Commissioner Waters, the Board voted unanimously to approve the agenda with the additions of Item 13A - Comments and Proposal about Hospital and Item 12A – Boger City Fire Department Property Issue.

AGENDA
LINCOLN COUNTY BOARD OF COMMISSIONERS
MAY 15, 2000

5:30 PM	Call to Order
5:30 PM	Invocation

- | | | |
|-----|---------|---|
| | 5:30 PM | Pledge of Allegiance |
| 1. | 5:30 PM | Adoption of Agenda |
| 2. | 5:30 PM | Approval of Minutes
- May 1, 2000 |
| 3. | 5:35 PM | Consent Agenda
- Tax Requests for Releases
Less than \$100 – March 16 – April 15, 2000
More than \$100 – March 16 – April 15, 2000
- Tax Requests for Refunds
Less than \$100 – March 16 – April 15, 2000
More than \$100 – March 16 – April 15, 2000
- Budget Adjustments 101 – 102
- Water Adjustments – March 15 – May 5, 2000 |
| 4. | 5:40 PM | Public Comments |
| 5. | 5:55 PM | LNCF Grant Application for Beatty's Ford – Erma Deen Hoyle |
| 6. | 6:05 PM | Lincoln County Animal Shelter Bid Results |
| 7. | 6:15 PM | School Bonds Resolution |
| 8. | 6:25 PM | Set Public Hearing for Appeal No. 173 – Gary & Lori Patrick |
| 9. | 6:35 PM | Set Public Hearing for Solid Waste Management Plan for June 5, 2000 at 7:10 PM |
| 10. | 6:45 PM | Set Public Hearing for Incentive Program for June 5, 2000 at 7:20 PM |
| 11. | 6:55 PM | Set Public Hearing for Budget for June 5, 2000 at 7:30 PM |
| 12. | 7:00 PM | Resolution Relating to Working with FEMA |
| 13. | 7:05 PM | Budget Presentation – County Manager Stan Kiser |
| 14. | 7:55 PM | Vacancies |
| 15. | 8:00 PM | Appointments |

16. 8:05 PM Calendar
17. 8:10 PM County Commissioners' Report
18. 8:25 PM County Manager's Report
19. 8:35 PM Other Business

Adjourn

Approval of Minutes: UPON MOTION by Commissioner Waters, the Board voted unanimously to approve the minutes of the May 1, 2000 Board meeting.

Consent Agenda: UPON MOTION by Commissioner Gamble, the Board voted unanimously to approve the Consent Agenda as follows.

RELEASES FOR MARCH 16TH THRU APRIL 15TH, 2000

MORE THAN \$100 - VEHICLES

NAME	YEAR	A/C NO	AMOUNT
Abbott, Glenn K.	1999	0126072	\$138.78
Auton, Paula Reinhardt	1998	0135287	\$123.93
Baxter, Arthur Sherrill	1998	0091872	\$109.23
Baxter, Diana Lynn	1998	0137619	\$152.85
Beason, Danny M.	1999	0131378	\$211.73
Childers, Quinton Lee	1998/99	0118459	\$350.41
Claar, Rodney Blaine	1999	0126562	\$180.67
Collins, Michael Derwin	1999	0100941	\$138.51
Consolidated Textile Services	1999	0141024	\$153.09
Dellinger, Mary McCray	1999	0136876	\$202.54
Douthit, James Arnold	1999	0126585	\$153.58
Farley, Nettie Sue	1999	0138523	\$193.06
Gordon, Alan S.	1999	0128849	\$183.59
Hamilton, Gerald Bryan	1999	0128108	\$201.57
Hodge, Albert Brady	1999	0125123	\$258.92

Huff, Thomas Edward	1999	0126382	\$214.21
Jacic, Rasim	1999	0110495	\$105.83
Malphrus, Tracy Lamar	1999	0133420	\$127.58
McCall, Charles Edward	1999	0111138	\$135.77
Perry, Blanca Estela	1998	0137510	\$147.38
Ringler, Clay B. & Barbara	1999	09442	\$138.31
Shoemaker, Scott Allen	1999	0142463	\$163.66
Sigmon, Lauren Paige	1999	0141796	\$236.93
Smith, James Martin Jr.	1999	0072096	\$122.83
West, Gary L.	1999	0112993	\$111.66
Wylie, Kathy Smith	1999	0141920	\$148.59
Zoresco Equipment Co.	1999	0121829	\$206.55

LESS THAN \$100-VEHICLES

Aguillar-Vega, Johnny W.	1999	0135621	\$6.19
Aleman, Luis Enrique Calero	1998	0109234	\$30.13
Allen, Dianne Eaker	1998	0132180	\$24.82
Ambrose, Jacqueline Theresa	1999	0125755	\$2.13
Araya, Carlos Enrique	1999	0098426	\$81.83
Armstrong, Martha Ann	1999	0102891	\$29.08
Armstrong, Robert Linwood	1999	0089256	\$71.93
Benton, Audrey Ruth	1999	18476	\$48.41
Blakeley, Harvey E. Jr.	1999	0140757	\$31.79
Blalock, Bobby Lee	1996	0114472	\$12.25
Blanton, Amy Fields	1999	0140408	\$54.20
Blanton, Amy Powell	1999	0142458	\$19.99
Boutviseth, Loakham	1999	0121056	\$87.18
Boyles, Phillip M.	1999	0130126	\$56.86

Boyles, Robert Gary	1999	0068544	\$18.75
Bridges, David Michael	1998	0113679	\$7.30
Brown, Bobby Jerry	1999	0108463	\$65.97
Brown, Glenna Rucker	1996	0103138	\$9.11
Burgess, Matthew L.	1999	0132496	\$3.42
Burgess, Valerie Dover	1998	0135022	\$13.60
Bush, Charles Edward	1999	0126551	\$74.24
Caldera, Victor Campos	1999	0067461	\$18.31
Caldwell, Charlie	1998	0129499	\$12.74
Caldwell, Mildred Kelly	1998	0073156	\$11.01
Caldwell, Misty Lynn	1999	0138623	\$25.38
Calvo, Nidia	1997	0120527	\$14.14
Camp, Christopher Scott	1999	0084509	\$12.88
Campbell, Gail McConnell	1999	0134649	\$93.66
Canipe, Linda Shull	1999	0094508	\$63.42
Carver, Jonathan Todd	1995	0116092	\$74.55
Caudle, Alicia Ann	1999	0127555	\$4.45
Caylor, Willard L.	1999	0104065	\$48.80
Champbers, Anna M.	1999	0101745	\$37.11
Chester, Lora Ann	1999	0131526	\$3.89
Clark, Richard Harrison	1999	0067427	\$19.75
Cornwell, Franklin D. Jr.	1999	0127200	\$16.55
Couteller, Chris	1999	0110383	\$17.36
Crouse, David Eurasmus	1999	0081788	\$3.99
Crunkleton, Margaret Ann	1999	0080511	\$21.47
Cruse, Florence Duckworth	1999	0075088	\$3.66
Davidson, Linda Louise	1999	0121074	\$24.89
Davis, Christopher Brian	1999	0073318	\$2.73
Davis, Mark Eldon	1999	0137027	\$13.60
Deberry, Joyce Allen	1998	0080782	\$17.63

Denver Mobile Home Moving	2000	0096342	\$18.23
Desantiago, Ernesto R.	1998	0108984	\$16.56
Dodgens, Robert Francis	1999	0137211	\$44.39
Don Surgeon Construction	1999	0071550	\$30.79
Doolittle, Bradley C.	1999	0125730	\$93.40
Dupree, Jeffrey Scott	1999	0140405	\$19.51
Durance, Bridgett Michelle	1998	0132589	\$37.00
Edwards, Donald Gerald	1999	0080508	\$43.07
Elmore, Charles R.	1999	06119	\$10.37
Emory, William Zeb	1999	0072899	\$24.21
Engle, Lorine Talbert	1998	0093148	\$4.17
Escobar, Laura Alicia	1999	0129980	\$11.59
Ewing, Gene Tunney Sr.	1999	0081959	\$16.27
Exline, Dwight A.	1997	0108084	\$33.65
Felts, Steve Barry	1999	0134988	\$60.14
Fernandez, Mayela Sunsin	1996	0105365	\$22.00
Fernandez, Sara Fanny S.	1996	0119418	\$32.99
First Union National Bank	1999	0138284	\$82.84
Fletcher, John Wayne	1999	0125881	\$41.17
Flores, Jaime	1998	0108559	\$19.35
Fredell, Floyd Ray	1999	0097680	\$2.66
Frix, Glen Alan	1999	0105489	\$41.14
G & M Enterprises	2000	0106427	\$99.67
Gamble, Elaine Cribbs	1999	0113997	\$35.28
Gantt, Benjamin Matha	1999	0090775	\$20.28
Garcia, Karla Oddette	1999	0131149	\$9.75
Garner, Marc Howard	1999	0105370	\$27.82
Garofalo, Frank Stanley	1999	0081625	\$13.92
Gennari, Joseph G.	1999	0131503	\$35.22
Goins, William Jarrod	1999	0099395	\$37.34

Gonzalez, Gerardo Rodriquez	1999	0106736	\$23.25
Goodnight, David P.	1999	0127765	\$58.38
Gordon, Robert Lee Jr.	1999	0102823	\$39.13
Grant, Alice Lail	1998	0123594	\$0.78
Greene, Donna Michelle	1997	0102770	\$31.77
Grigg, Vickie Scronce	1999	0103233	\$27.30
Guice, Gerald Gregory	1999	0128198	\$6.50
Gwynn-Peoples, Betty C.	1999	0130910	\$40.96
Haney, Jerry Delmus	1999	0084672	\$22.96
Heafner, Carol Schrum	1998	0077603	\$3.90
Helderman, Charles Russell	1999	0088845	\$6.28
Hensley, Robert C.	1999	15246	\$3.26
Hidges, Danielle Smith	2000	0072558	\$24.42
Hineman, Jimmy Dean	1999	0137858	\$27.03
Hinson, Archie William Jr.	1998	0135284	\$27.16
Hoffman, Brady Jonas III	1999	0101177	\$49.73
Holman, Teresa K.	1999	0064405	\$59.53
Houk, Richard Joe	1999	0087446	\$2.33
Houser, Barbara Sain Mrs.	1999	07171	\$61.98
Hovis, Alfred Shelton	1999	0101061	\$24.72
Howard Realty Builders Inc.	1999	25171	\$39.70
Hull, Warren Ray	1999	01452	\$34.61
Hunt, Debbie L.	1999	0135183	\$11.61
Hurley, Jeffrey W.	1995	0110019	\$7.26
Huss, Donald E. Sr. & Sue L.	1999	08067	\$3.29
Jelley, Lyle Paul Jr.	1999	0139923	\$64.46
Jeune, Frederick Wilson	1998	0117484	\$24.29
Kennedy, Margaret M.	1999	0125514	\$22.57
Killian, Deborah Jane	1999	0142482	\$50.37
Klutz, Harold Lloyd Jr.	1999	0130124	\$17.40

Kochosky, Scott Michael	1999	0142404	\$92.51
Lancster, Darlene Herman	1999	0136996	\$65.28
Lane, Tommy Dean	1993	0072324	\$1.77
Lawing, Vernon Allen	1999	0094804	\$24.34
Ledford, Steven Lloyd	1999	0119589	\$99.75
Lenox, Sarah Abernathy	1999	0101297	\$23.73
Leonard, Russell S.	1999	10228	\$19.41
Lingerfelt, Sharon Geneva	1999	0066440	\$9.81
Littlejohn, Gene Arthur	1999	0108759	\$32.85
Maffat, Darlene Bard	1997	0126399	\$13.17
Martinez, Miguel Angel	1999	0126339	\$29.41
McCroskey, Vernon Donald	1999	0133661	\$3.41
McCurry, Florida Y.	1999	0135878	\$29.77
Mergler, William W. Jr.	1999	00440	\$7.03
Merritt, Charles H.	1999	0125564	\$35.35
Miller, Cheryl	1999	0061291	\$49.81
Mitchem, Bradley Durand	1999	0092058	\$56.56
Mudge, Beth Ann	1997	0109969	\$5.42
Murillo-Peraza, Luis Angel	1999	0140184	\$15.92
Neal, Chastity Amanda	1999	0127481	\$20.28
Norwood, Ann Pendley	1998	0092213	\$33.18
Odom, Jamie Carlton	1993	0079350	\$16.99
Pace, Charles Mack II	1999	0135369	\$38.15
Parker, Pamela Hovis	1999	42045	\$27.20
Parker, Robert Dennis	1999	0067223	\$14.08
Parlier, Robert Leslie	1999	0086137	\$26.55
Parris, Wayne G.	1996	33247	\$86.30
Parsons, Dewey M.	1999	45470	\$5.50
Pigg, Dwayne Eugene	1999	0112362	\$19.65
Plumley, Adam Marion	1999	0137791	\$62.09

Plumley, Tammy Canterbury	1999	0086661	\$75.13
Pope, Raymond Arnold	1999	0113238	\$27.97
Presley, Scott Michael	1998	0134007	\$9.00
Pressley Refrigeration Co.	2000	0068375	\$98.56
Price, Jeffery Chad	1998	0128513	\$3.19
Price, Pamela Coker	1999	0097999	\$57.02
Pyant, Ricky Darnell	1999	0069674	\$24.30
Radke, David Bruce	1999	0098329	\$22.46
Reinhardt, Michael Scott	1999	0142330	\$14.29
Reynolds, Hazel Bown	1999	0064408	\$7.37
Rhylee, Patricia Miller	1998	0137632	\$30.00
Richards, Donna Grigg	1998	0074602	\$18.17
Roberts, Marianne Lee	1999	0104846	\$84.92
Rowe, Dale Maurice Jr.	1998	0137508	\$93.34
Russell, Velcer Blake Jr.	1998	0094467	\$20.51
Saine, Keith W. Jr.	1999	13613	\$55.77
Scronce, Ernest Hal	1999	0103134	\$9.44
Setzer, Chastity Renise	1996	0111135	\$43.56
Sigmon, Jammie Ann	1998	0095905	\$ 10.30
Small, Betty Clanton	1999	0068293	\$ 11.56
Smith, Loren Allen	1999	0130570	\$ 11.23
Stinson, Manley Roger	1999	0137938	\$ 13.61
Taylo, Larry Ronald	1999	0066283	\$ 13.59
Tesi, Timothy Scott	1999	0142488	\$ 67.33
Torres, Jose Bulmaro	1999	0128024	\$ 33.21
Towery, Lester C.	1998	43670	\$ 30.79
Turner, Linda Jo	1993	0085899	\$ 3.54
Valenicana, Manual Rios	1998	0086585	\$ 6.61
Vance, Michael Earl	1999	0129065	\$ 29.04
Vargas, Karina Rodriguez	1999	0126502	\$ 43.49

Vash, Linda Elaine	1999	0103584	\$ 9.42
Wallace, Willis D.	1999	0130819	\$ 36.21
Ward, Audrey Delrae	1999	0140897	\$ 7.65
Watkins, Sandra Terry	1999	0142206	\$ 6.08
White, Heman H. & Helen F.	2000	45983	\$ 5.65
Williams, Karen Battle	1999	0109135	\$ 58.71
Williams, Walker Edward	1999	0093328	\$ 44.33
Willis, Alden Clent	1997/98	0101618	\$ 10.44
Willis, Cindy Lynn	1999	0121033	\$ 29.18
Wright, John Toliver	1999	0079527	\$ 8.58
Wylie, Zebulon Nathaniel	1999	0124080	\$ 19.37
Yost, Alice Madge	1999	0127981	\$ 30.11

MORE THAN \$100

NAME	YEAR	A/C NO	AMOUNT
Bradshaw, George	1998/99	0110956	\$204.62
Fondren, Cynthia	1991-93	35471	\$399.39
Geese, William F.	1994-97	39545	\$124.97
Heavner, Kenneth Ray	1999	42012	\$246.03
Nonenman, Martha C.	1998/99	0085453	\$755.90

LESS THAN \$100

NAME	YEAR	A/C NO	AMOUNT
American Craft Corp.	1999	0081062	\$17.41
Bryson, Gary Dean	1999	0075197	\$14.05
Bush, Louis Reynolds	1999	0107400	\$75.52
Christeler, MarkENZ	1999	0063779	\$95.78
Copley, Sharon Stacy	1998	0128061	\$24.42
Grant, Alice S.	1992-98	37930	\$25.25

Grant, Frances Moose	1999	19907	\$16.64
Martin, Carlos (Heirs of)	1999	0128748	\$44.63
Rooker, Alex	1998/99	0088792	\$20.36
Stanley, David Edward	1999	36114	\$58.52

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (March 16 – April 15, 2000)

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

Beard, Caroline S.	1999	BCFD	0097278	\$2.74
Greeno, Steven & Sue	1999	SFFD	0130158	1.98
Hullett, Mary Jane	1999	HCDF	0064640	3.94
Johns, Pamela & Gary	1999	ELFD/ELSD	0091260	1.05
Lackey, Patsy	1999	NBFD	32666	2.49
Matney, Shannon J.	1999	NBFD	39885	5.62
Munday, Randy & Renee	1999	N321	0103749	55.75
Sain, James E.	1996	CITY	38717	31.19
Taylor, Michael & Phyllis	1999	ALFD	35228	21.70
Thomason, Leroy & Blanche	1999	ELFD	21214	35.65
Turner, Darlene & Philmon	1999	PCFD	0117748	1.27
Wingate, Richard Harles Jr.	1999	ELFD/ELSD	0084067	11.09

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (March 16 – April 15, 2000)

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

Acox, William A. & Robin	1999	PCFD	0124935	\$198.72
Phelps, Sandra F.	1999	N321	13806	349.30
Smithstone Properties LLC	1999	ELFD/ELSD	0131858	279.73

LINCOLN COUNTY TAX DEPARTMENT
MOTOR VEHICLES

REQUEST FOR REFUNDS

PERIOD COVER (March 16 – April 15, 2000)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Abernathy, Linda Lee	1999	ELFD/EKSD	36401	\$3.84
Allen, James Mithcell Jr.	1999	ELFD	0107343	3.33
Auten, John Douglas	1999	PCFD	0137158	61.54
Baker, Milton Lee	1999	CRFD	0073782	2.00
Bernstzky, James E.	1999	DFD	0121185	10.51
Bernatzky, James E.	1999	DFD	0121185	27.87
Biggerstaff, Kelly E.	1999	N321	0123192	4.14
Boyles, Joel Anthony	1999	HSFD	0077254	23.74
Bradshaw, Ralph Jr. & France	1999	ALFD	12818	2.03

Bynum, Margaret Ann	1999	BCFD	0072607	1.65
Commerical Printing Co.	1999	CITY	24627	1.41
Davis, Robert Eugene	1999	PCFD	0113600	11.40
Dittman, Gary & Karen	1999	CITY	37961	28.80
Driskell, Thomas E.	1999	BCFD	0138302	2.00
Edwards, Charles Lee	1999	N321	0105723	1.49
Edwards, Helen Juliene	1999	DFD	0103608	2.63
Franklin, Mark W. Jr.	1998	CRFD	0068828	6.19
Gaither, William H.	1999	ELFD	0114066	40.59
Gardner, Cindy L.	1999	N321	0081554	13.85
Gurganus, Stephen E.	1999	ALFD	0131072	6.87
Gurganus, Stephen E.	1999	ALFD	0131072	6.16
Hance, Patricia Bogden	1999	CITY	0104524	15.49
Harford, Debra	1999	CITY	0077889	2.53
Hoell, Frederick C.	1999	CITY	0123244	7.64
Hoffman, Stephanie M.	1999	DFD	0126965	1.84
Holland, Patti E.	1999	CITY	0080182	2.95
Hoyle, Thomas Ray	1999	UNFD	0082877	36.55
Huff, Thomas Edward	1999	CITY	0126382	35.36
Huss, Bryan T.	1999	CRFD	0139536	3.11
Iddings, Joe	1999	ELFD	18557	25.93
Isenhour, Donald & Nola	1999	ELFD	39908	45.99
Jones, Jonas D. Jr.	1999	PCFD	0078750	1.30
Knopp, Gregory Thomas	1999	DFD/ELSD	0128084	9.25
Linerfelt, Larry Stephen	1999	NBFD	0093044	6.44
Macleod Construction, Inc.	1999	DFD	0098225	61.51
Mobbs, Gwendolyn Sue	1999	CRFD	0113330	9.29
Moretz, Donald W. & Patsy B.	1999	NBFD	0073735	3.99
Nichols, Vonnie Terry	1998	BCFD	0110515	41.87
Noblitt, Robert & Sandra	1998	ELFD	0065631	60.18
Perry, Oscar M.	1999	CITY	0091378	41.79
Phelps, Sandra Farley	1999	N321	0092338	26.58
Ramsey, Geneva D.	1999	SFFD	0067920	2.30
Retana, Olivier	1999	SFFD	0124024	10.80
Riddle, David & Martha	1999	PCFD	0127852	2.31
Roof, Sara E.	1999	CITY	0132143	24.37
Root, Paula Ann	1999	ALFD	0102804	6.50
Rylee, Patricia M.	1999	BCFD	0137632	5.30
Sharpe Grading	1999	ELFD	0090646	2.03
Sigmon, Kimberly A.	1998	CITY	0135179	81.89
Stewart, Kenneth F.	1997	CITY	0126987	35.24
Weaver, Johnny T.	1999	SFFD	09526	3.81
Whiteside, Harold D. Jr.	1999	BCFD	0066463	2.18
Whitesides, A B Jr. & Martha	1999	N321	015078	42.47
Wilkinson, Angelia Yvonne	1999	UNFD	0113678	9.57
Wright, Sandra Holden	1999	ALFD	0132800	15.90
Wylie, Sonia R.	1998	ELFD/ELSD	0077329	4.53

**LINCOLN COUNTY TAX DEPARTMENT
MOTOR VEHICLES**

REQUEST FOR REFUNDS

PERIOD COVERED (March 16 – April 15, 2000)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Associates Leasing Inc.	1999	BCFD	0121812	\$589.08
Associates Leasing Inc.	1999	BCFD	0121812	589.08
Gold Key Lease Inc.	1999	DFD	0110568	125.65

Water Adjustments

<u>NAME</u>	<u>ACCOUNT #</u>	<u>ADJUSTMENT</u>	<u>NEW TOTAL</u>
David Draper	122415541-01	\$191.28	\$139.28
Steve Flanigan	5084231-01	\$ 11.87	\$ 24.79
Todd Fowlkes	6121961-03	\$ 45.54	\$ 38.36
James Gantt	4057871-00	\$ 51.08	\$ 81.74
Lisa Gavel	10225601-01	\$ 42.30	\$ 88.65
Hayes Rental Properties	2036761-00	\$185.10	\$106.64
Bob Hecht	10233091-00	\$669.51	\$306.84
Jamie's Marine Service	6122531-07	\$1,733.75	\$820.89
Lakeside TV & Video Inc.	6100801-00	\$191.88	\$157.38
William Andrew Phelps	6104161-05	\$ 25.52	\$ 78.33
Jonathan Watts	6151081-01	\$ 21.00	\$ 58.14
Joyce B Wilson	6157011-00	\$ 51.21	\$ 55.48

Budget Adjustments 101 - 102

Budget Adjustment 101 – To show receipt of Smart Start funds for “Very Important Parents” project and allocate these funds to proper line items.

Budget Adjustment 102 – Smart Start Grant to be used for nursing consultant in day care.

Public Comments:

Chairman Hallman opened the Public Comments section.

Steve Peace stated that he wishes the Board would fund the Deputy Sheriff some more money, we are losing too many law officers.

Sylvia Holmes stated that there was a grant available through a magazine called Boat US, that has a Clean Water Trust Fund, and they gave out grants to community organizations. ELBA applied for the maximum grant of \$2000 to establish a mini-recycling center at the Beatty's Ford Access Area Park and the Little Creek Park. She stated that they were awarded \$1500. She stated that since they did not get the full amount, they will just be doing this at the Beatty's Ford Access Area. Ms. Holmes stated that they have a year to spend the money.

Bob Richardson stated that he is the Vice President of the Humane Society and urged the Board to vote to accept the bid and proceed without further delay.

Terry Kenny asked if now was the appropriate time to speak concerning Appeal No. 173 – Gary & Lori Patrick.

Being no one wishing to speak, Chairman Hallman declared the Public Comments section closed.

LNCF Grant Application for Beatty's Ford – Erma Deen Hoyle:

Erma Deen Hoyle, Recreation Director, stated that she is requesting Board approval for a Land and Water Conservation Fund Grant (LWCF) for the Beatty's Ford Access Area Project. The LWCF is a federal program, with funding from proceeds of off-shore oil leases. This grant may be used for outdoor facility acquisition and development.

The LWCF grant is a 50-50 matching grant. Ms. Hoyle stated that she had requested \$75,000 in the 2000-2001 CIP Budget for the Beatty's Ford Project, which she understands this has been cut somewhat. This allocation (or other amount) could be used to match the proposed grant. Facility development planned for the site include restrooms, shelter(s), trails, disc golf, volleyball courts, and playground equipment. The enclosed site plan is a draft of the proposed development. This plan was created using the study committee's ideas and suggestions.

Applying for this grant requires a formal authorization from the local governing board, certifying the match. The grant application is due May 31, 2000, therefore action is needed before final budget approval.

UPON MOTION by Commissioner Waters, the Board voted unanimously to allow Erma Deen Hoyle to apply for the \$75,000 grant.

Lincoln County Animal Shelter Bid Results:

Nick Montanez stated that on May 2, 2000 bids were received. He requested that the Lincoln County Board of Commissioners ratify and award the following Single Prime Contract to Burgess Wright and authorize M.B. Kahn Construction Company to prepare this contract. The amount of this contract will be \$167,000.00 per the bids received on May 2, 2000.

A. RESULTS OF SINGLE PRIME CONTRACT:

SINGLE PRIME CONTRACT

Burgess Wright
Base Bid

167,300.00

TOTAL SINGLE PRIME CONTRACT

\$167,300.00

B. RESULTS OF MULTIPLE PRIME CONTRACTS:

BUILDING AND FINISHES

Burgess Wright Construction

Base Bid \$120,000.00

HVAC

Huffman Metal Works

Base Bid \$ 20,789.00

ELECTRICAL

Lail Electric, Inc.

Base Bid \$ 11,250.00

PLUMBING

Denver Plumbing

Base Bid \$ 25,899.00

TOTAL MULTI-PRIME CONTRACT

\$177,938.00

Chairman Hallman asked when work will begin if the bid is awarded tonight.

Nick Montanez stated that work will begin by Wednesday, and are looking at a completion date of around 90 days time.

Commissioner Brotherton asked what the difference between the original contract price versus what has already been spent and the new bid.

Mr. Montanez stated that they are very close to balancing on this project.

UPON MOTION by Commissioner Brotherton, the Board voted unanimously to approve the bid of Burgess Wright at \$167,300.00 and proceed with the construction of the Lincoln County Animal Shelter.

Chairman Hallman stated that he would like to see this behind us. He stated that the people from the Humane Society give a lot to the community and have been promised this for years.

The Board of Commissioners received from the Lincoln County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 5, 2000,

evidencing said Board' determination of the results of the canvass of the returns of the special bond referendum held in the County of Lincoln on May 2, 2000 upon the question of approving \$36,000,000 School Bonds of said County.

After said proceedings had been considered and reviewed by the Board of Commissioners, Commissioner Waters introduced the following resolution which was read by title:

**RESOLUTION RELATING TO THE CANVASS OF THE RETURNS OF THE
SPECIAL BOND REFERENDUM HELD IN THE COUNTY OF LINCOLN, NORTH
CAROLINA ON MAY 2, 2000 UPON THE QUESTION OF APPROVING \$36,000,000
SCHOOL BONDS AND DETERMINING THE RESULTS THEREOF**

BE IT RESOLVED by the Board of Commissioners for the County of Lincoln:

Section 1. The Board of Commissioners for the County of Lincoln having received from the Lincoln County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 5, 2000, evidencing said Board's determination of the results of the canvass of the returns of the special bond referendum held in the County of Lincoln on May 2, 2000 upon the question of approving \$36,000,000 School Bonds of said County, does hereby declare and certify the results of said referendum to be the results which are set forth in the following statement of the results of said referendum, which statement has been prepared by said Board of Commissioners:

**STATEMENT OF THE RESULTS
Of the
SPECIAL BOND REFERENDUM
Held in the
COUNTY OF LINCOLN, NORTH CAROLINA
On May 2, 2000
UPON THE QUESTION OF APPROVING
\$36,000,000 SCHOOL BONDS**

At a special bond referendum held in the County of Lincoln on May 2, 2000, 38,037 voters were registered and qualified to vote.

At said referendum 6,725 votes were cast for the order adopted on February 14, 2000 authorizing not exceeding \$36,000,000 School Bonds of the County of Lincoln, North Carolina, for the purpose of providing funds, together with any other available funds, for erecting additional school buildings and other school facilities, remodeling, enlarging and reconstructing existing school buildings and other school facilities and acquiring necessary land and equipment therefor in order to provide additional school facilities in the County of Lincoln, and authorizing the levy of taxes in an amount

sufficient to pay the principal of and the interest on said bonds, and 2,507 votes were cast against said order, and a majority of the qualified voters of said County who voted thereon at said referendum having voted in favor of the approval of said order, said order was thereby approved and is in force and effect.

Board of Commissioners
For the County of
Lincoln, North Carolina

Section 2. The Clerk to the Board of Commissioners shall file a copy of the foregoing statement of the results of said referendum in her office and shall publish such statement once in The Lincoln Times-News. A statement in substantially the following form shall be published with the foregoing statement:

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after [date of publication].

Board of Commissioners
For the County of
Lincoln, North Carolina

Section 3. This resolution shall take effect upon its passage.

Upon motion of Commissioner Waters, and seconded by Commissioner Brotherton the foregoing resolution entitled: “RESOLUTION DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM HELD IN THE COUNTY OF LINCOLN, NORTH CAROLINA ON MAY 2, 2000 UPON THE QUESTION OF APPROVING \$36,000,000 SCHOOL BONDS” was passed by the following vote:

Ayes: Commissioners Chairman James A. Hallman, Terry L. Brotherton, Beth H. Saine, W. J. Waters, Jr., John R. Gamble, Jr.

Noes:

Set Public Hearing for Appeal No. 173 – Gary and Lori Patrick:

Lee Lawson, Land Use Coordinator, presented the following information concerning Appeal No. 173 – Gary and Lori Patrick.

The applicant is requesting an appeal of the Board of Variances & Appeals decision on Appeal case #170 (Robert Emery, applicant). The Board of Variances & Appeals voted unanimously that due to the fact of the time period from which the pier was constructed to the time when the complaint was filed causes this case not to be valid for a decision by the Board of Variance & Appeals and that Lincoln County will not pursue this complaint

any further due to time constraints and jurisdictional issues. This decision was made on April 3, 2000 at the Board of Commissioners Regular Zoning Meeting.

This .975 acre parcel is located at 7757 Live Oaks Drive in the Catawba Springs Township. It is zoned Residential Single Family and is joined on all sides by parcels zoned R-SF. The Lincoln County Land Use Plan calls for higher density development in this area.

Mr. Lawson stated that the way the Zoning Ordinance states is that the party that wants to appeal the decision of the Board of Variance and Appeals would have to present some new evidence or new circumstances that would change the whole issue. The Board has the right to decide if they want to hear it or not.

Jeff Taylor stated that there is one procedural quirk that he has discussed with staff. He stated that the decision was made in the Board of Variances and Appeals, which is not holding a meeting tonight. The application was filed under provisions of Section 5.8.1, which allow the Board of Variance and Appeals to grant a rehearing of a case that has already been heard, subject to a finding that there has been a substantial change in facts, evidence, or conditions that would justify a rehearing. He stated that it says that a rehearing shall be denied by the Board of Variances and Appeals if in its judgement, such change in facts, conditions, or evidence has not been proven. He stated that the question is when the Board hears this. He stated that he feels it would be appropriate for the Board to listen to any new information, and take it under advisement. He stated that a decision can be made at the next BOVA meeting.

Jeff Taylor stated that this is in the Superior Court right now, because of the thirty day time limit, the parties didn't have the luxury of waiting for a resolution on this before their time would have run on filing an appeal to Court on the Board's previous decision to deny the case.

Terry Kenny stated that Mr. Taylor is correct in saying that regrettably they couldn't come here to talk to the Board before their time for filing in Superior Court was done. She stated that this wouldn't have been their first choice, but they were thrust into Superior Court without the opportunity to come back to the Commissioners and present the evidence they believe is different from what was heard at the Board of Variances and Appeals. Ms. Kenny submitted for consideration packets that were sent to the Board by Dr. and Mrs. Patrick. She stated that there was a lot of discussion based on the minutes she read, that the pier was completed in 1993, and that it was done pursuant to a zoning permit. She stated that the evidence will show that the pier was not constructed in 1993, there is conclusive evidence in the packet, by virtue of photographs, showing that the pier was not done in 1993. In fact, the pier was not completed, there are photographs showing in 1994 that the pier was still an ongoing construction project, and hence the Patrick's did not complain, because it was not, at that point in time, encroaching over into their projection line, and impeding their ability to use the pier they constructed. She stated that

they think the date is closer to 1995. The fact of the matter is, if you look at the Zoning Permit that was presented to the Board of Variance and Appeals, the zoning permit specifically requires that the pier be built within the projection lines as drawn on the sketch. If you look at the sketch, you will see that the pier is 70 feet long and 22 feet wide. To their knowledge, there was no check to be sure it was done properly, no certificate of compliance. The pier in fact is 80 feet long and 26 feet wide, which brings it out over the projection line, into the Patrick's projected area. She stated that the pier was built, not in conformity, as the Patrick's had been told, as they believed with the zoning permit, in fact it had been built directly not in accordance with the specifications of the Zoning Permit. If it had been built 10 feet shorter, if it had been built narrower, they would not be having this appeal. It is in fact 10.8 feet over the projection line.

Ms. Kenny stated that what you get when you buy a lake lot and a lake house, is the view, location, and the access to the water. What has happened by this pier being built improperly and not in conformity with the requirements, and not in conformity with the Ordinances, is it is too long, and therefore projects out, is in the projection line of the Patrick's. Therefore they lose some of what they purchased, the ability to use their docking facilities, or their pier, it encumbers their property so now they have a cloud on their property, and is in their line of site. All of the things that one hopes to accomplish when they buy a lake lot is simply encumbered or bothered by the fact that this pier was not built properly.

Ms. Kenny stated that she believes the ruling of the Board of Variance and Appeals, from reading the minutes, was that the Board held that they did not have jurisdiction. She argued that the Board does have jurisdiction to enforce it's ordinances. She stated that the ordinance specifically says that you can't be over 1/3rd of the cove, and it can't be built out over the projection line. She stated that this is what they are asking, they think some information was provided that was not accurate, and based upon that the Board drew a conclusion that they would hope would be reconsidered once all the facts came out. She stated that they are asking the Board to do one thing, to enforce the ordinances as written, getting this pier back in conformance with the ordinance, and taking the cloud off the title of the Patrick's property. She stated that they hoped the Board would reconsider and have another public hearing, based on the additional evidence presented.

Commissioner Waters stated that this is a case of the Patrick's word against the other man's word, there is no hard evidence. He stated the pictures have hand-written dates on them.

Ms. Kenny stated that the Patrick's can testify and have evidence in the packet, as to when their pier was constructed. She stated that you can look out over the swimming pool, and see that the pool is under construction and be able to date when that was occurring, and see the pier that still had some construction work done on it.

Chairman Hallman asked staff if there was a building permit for the pier.

Lee Lawson stated that there is not a building permit for this pier.

Chairman Hallman asked what they do when something is built, and a building permit is required, and they do not get one.

Kelly Atkins stated that not having a building permit is a state violation, and would be handled through the Building Inspections Department.

Jeff Taylor stated that what has happened in other instances when something was built without a building permit, is the Inspectors go out and try to make an inspection if it's possible without dismantling the structure. He stated that they to see if a structure meets requirements for the permit to be issued retroactively.

Commissioner Brotherton asked which dates were important, the beginning or ending date.

Jeff Taylor stated that he would probably say the beginning date, depending circumstances.

Ms. Kenny stated that these people would not have known this was not in compliance when it began, because is was in compliance. It was built by a zoning permit. She stated that when the Land Use Coordinator went out, he wrote a letter saying that it is not built correctly. In the letter, Mr. Lawson goes on to state the remedies are move it so it is not over the projection line, tear it down, or shorten it so that it is in compliance. She stated that they are just asking that the pier be moved so that it is in compliance.

Commissioner Brotherton asked the width of the cove.

Lori Smith Patrick stated that the total width of the cove is 188 feet.

Commissioner Waters stated that the decision on this is in far more qualified hands, in the Superior Court. He suggested that the Board wait and see what Superior Court says.

A MOTION by Commissioner Waters to stand on original finding.

Commissioner Brotherton stated that he heard the terms "my cove" and phrase "buying access to water". He stated that you will not find a deed recorded in the Courthouse where anyone purchased access to water, they purchase access up to the 7/60 line.

Ms. Terry stated that the reality is that people buy land on the lake so they can use the water.

Commissioner Gamble stated that it appears to him that Ms. Kenny has made a case to him that this pier is too long, by virtue of projection and width. He stated that it is ridiculous to ask these people to spend more money going to court. Commissioner Gamble stated that he is going to vote against the motion, he thinks the Board needs to help these folks and clear the deeds for the properties.

Commissioner Waters stated that the property has been through a deed recording with the pier in place.

Commissioner Brotherton stated that he was talking with someone a week or so ago about a different case, and it was pointed out how difficult it is to sell something if there's a knowledge of an encroachment.

Vote: 3 – 2 AYES: Hallman, Waters
NOES: Brotherton, Saine, Gamble

Jeff Taylor stated that it takes 4 votes to grant a rehearing, under this section of the Ordinance.

A MOTION by Commissioner Gamble to grant a rehearing.

Vote: 3 – 2 AYES: Gamble, Brotherton, Saine
NOES: Hallman, Waters

Gary Patrick stated that he would appreciate it if the Board would just follow through with the violation. He stated that he appreciates the Board's time.

Set Public Hearing for Solid Waste Management Plan for June 5, 2000 at 7:10 PM:

UPON MOTION by Commissioner Brotherton, the Board voted unanimously to set a public hearing for the Solid Waste Management Plan for June 5, 2000 at 7:10 PM.

Set Public Hearing for Incentive Program for June 5, 2000 at 7:20 PM:

UPON MOTION by Commissioner Saine, the Board voted unanimously to set a public hearing for June 5, 2000 at 7:20 PM.

Set Public Hearing for Budget for June 5, 2000 at 7:30 PM:

Chairman Hallman stated that tonight Mr. Kiser will present the budget, and at the end of the meeting, the Board will recess and set some work sessions between now and the end of June. He stated that the public hearing will let the public comment on what has transpired to date, and does not mean that changes cannot be made up until the last day of June.

Commissioner Waters stated that he is having a real problem with this. He stated that he has read more about the budget in the newspaper than he has had in his hands. He stated that he has a problem with having a public hearing when the public does not know what it's commenting on.

Commissioner Brotherton stated that from this point forward, the information will be on public display for citizens that want to come look at it.

UPON MOTION by Commissioner Brotherton, the Board voted unanimously to set the public hearing for the Budget for June 5, 2000 at 7:30 PM.

Resolution Relating to Working with FEMA: **UPON MOTION** by Chairman Hallman, the Board voted 4 – 1 (Commissioner Gamble against) to approve the following Resolution.

**A RESOLUTION OF THE
BOARD OF COMMISSIONERS
OF LINCOLN COUNTY, NORTH CAROLINA
RELATING TO
WORKING WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA)**

WHEREAS, FEMA asks counties to assist them in urging citizens affected by disasters to call the toll-free FEMA Disaster Assistance telephone number to register for disaster assistance; and,

WHEREAS, information to call this toll-free number for disaster assistance is distributed on a local level as well as by FEMA Community Relations workers who go door-to-door for weeks after a disaster in an effort to make sure that everyone gets the word; and

WHEREAS, although FEMA asks for local cooperation, names of citizens who register are not shared with county government so that local services can be immediately provided to the citizens; and,

WHEREAS, asking citizens to call at a separate "local government" number from the "FEMA number" would confuse the issue and perhaps cause citizens to mistakenly think that they had registered for disaster assistance when in fact they had not; and

WHEREAS, FEMA claims this is a privacy issue and they are therefore unable to release the registration information pursuant to federal law;

NOW, THEREFORE, BE IT RESOLVED that the Lincoln County Board of Commissioners, meeting this 15th day of May, 2000, in Lincolnton, North Carolina, does hereby urge the Lincoln County Congressional Delegation to support federal legislation that would allow a federal or state agency to disclose to a county government the name, address and phone number of citizens registering for aid following a federally-declared emergency.

BE IT FURTHER RESOLVED that this resolution be transmitted to the North Carolina County Commissioners Association and the National Association of County Officials for introduction as a policy of each association.

Adopted this the 15th day of May, 2000.

James A. Hallman, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

Boger City Fire Department: Ken Sain, President of the Boger City Fire Department, stated that they are in the process of trying to build a new Fire House in Boger City. He stated that they found some land and made a deal, but ran into a small problem, when the County gave the fire department the present land it sits on now, there was a stipulation in the contract that if the land was ever not used as a fire department, it would go back to the County. He requested that the County remove the clause. Mr. Sain stated that they have plans for a beautiful four-bay drive through fire station on McAllister Road.

UPON MOTION by Commissioner Gamble, the Board voted unanimously to remove the reverter clause subject to the stipulation that the Boger City Fire Department not use the proceeds of the transaction for anything but Fire Department purposes.

**RESOLUTION TO RELINQUISH REVERTER CLAUSE ON REAL PROPERTY
PREVIOUSLY CONVEYED TO BOGER CITY VOLUNTEER FIRE DEPARTMENT**

WHEREAS, by deed recorded in Book 347, Page 225, Lincoln County Public Registry (which deed is hereby incorporated by reference), the Lincoln County Board of Commissioners conveyed certain real property to the Boger City Volunteer Fire

Department (hereinafter referred to as "BCVFD") under the express condition that said property should be used for the local fire department and for no other purpose; and

WHEREAS, by subsequent deed recorded in Book 379, Page 368, Lincoln County Public Registry (which deed is also hereby incorporated by reference), the Lincoln County Board of Commissioners conveyed certain other real property immediately adjacent to the aforesaid property to the BCVFD subject to the same condition; and

WHEREAS, the deeds conveying the said real property to the BCVFD contained language providing that title to said tracts and any buildings placed thereon would revert to Lincoln County in the event of a violation of the stated condition or the nonuse of the properties for the purpose for which they were conveyed; and

WHEREAS, the fire department facility that was constructed on the said site is outdated, undersized, and in need of replacement, and the present site is not large enough to permit expansion; and

WHEREAS, the BCVFD has received an offer to trade the said real property for a larger site which is capable of accommodating a larger facility and is thus more suitable for meeting the needs of the citizens served by the BCVFD than the present facility; and

WHEREAS, the BCVFD needs to obtain Lincoln County's release of the right of reverter contained in the deeds referenced above to permit the proposed trade so that the site of the existing BCVFD may be conveyed by general warranty deed, free and clear, to the present owners of the property for which the existing BCVFD site would be traded; and

WHEREAS, the Board of Commissioners verily believes that it would be in the best interests of the citizens of Lincoln County to relinquish the said right of reverter and permit the said trade to take place in consideration of the BCVFD's agreement to use any lands, proceeds, or other consideration that it may receive in exchange for such property for a public purpose as authorized by North Carolina General Statute Section 160A-279;

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

1. That in consideration of the terms hereinafter contained the Lincoln County Board of Commissioners approves the relinquishment of the right of reverter contained in the deeds from Lincoln County to BCVFD, recorded in Book 347 at Page 225 and Book 379 at Page 368, Lincoln County Public Registry, so that the proposed trade of the said property for a larger site may proceed.

2. That in accordance with the requirements of N. C. G. S. 160A-279, such

documents shall provide that any lands, proceeds, or other consideration that the BCVFD may receive in exchange for the said property shall be used for a public purpose, specifically, for fire department purposes.

3. That public notice of this action shall be given as provided by N. C. G. S. 160A-267.

4. That upon the expiration of the public notice period specified above, the Chairman of the Lincoln County Board of Commissioners and its Clerk are hereby authorized to execute such quitclaim deeds and/or other documents as may be necessary to consummate the relinquishment herein approved.

This resolution adopted at the regular meeting of the Lincoln County Board of Commissioners this 15th day of May, 2000.

LINCOLN COUNTY

By: _____
James A. Hallman, Chairman
Board of Commissioners

ATTEST:

Amy S. Long, Clerk to the
Board of Commissioners

Recess: Chairman Hallman called for a five minute recess.
Chairman Hallman called the meeting back to order.

Budget Presentation – Stan Kiser:

Stan Kiser, County Manager, presented the following information concerning the budget.

Lincoln County's move into the 21st century will be both exciting and challenging. The decisions made in the next few years will determine the type of county we live in for the next half-century. Growth confronts us as never before. The ability to provide services to an expanding population is of paramount concern. Adequate funding for education should remain a high priority. Our citizens have continued their commitment to education by passage of the recent \$36,000,000 bond referendum. As the county's growth continues we will require additional funds to meet the rising school

needs. The Board of County Commissioners is maintaining their goal of raising the school current expense to the state average. Current expense for schools is \$8,916,883 up from last years \$7,937,591.

We must strive to provide safety to our citizens through our sheriff's department and emergency ambulance service. We are now entering the first full year of operation of the new law enforcement center. In the coming budget year the county will begin work on a permanent central base for EMS. The cost of the Social Services Department continues to rise with Medicaid increasing over \$500,000 in the next budget year. DSS has little control over this expense, while the county has a required match for Medicaid spending. As our county population grows library services and recreation will be in continual demand. The county is committed to branch libraries in the east and west along with an expanding presence of recreational facilities. Necessary in our attempt to deliver additional services is an expanding tax base. Attracting new industry is critical to providing additional tax revenue and jobs for our citizens.

With these thoughts in mind we must commit ourselves to working together to solve our county's problems.

The valuation in Lincoln County came to \$3,997,757,000. At a collection rate, for 1999, of 97.31%, that brings the total to \$3,890,217,000. At a tax rate of 54 ½ cents, that will yield \$21,201,687.

Mr. Kiser extended an invitation for Board members to set up appointments to go over the budget with him.

The inventory tax is roughly \$1.1 million. Sales tax, one percent local, is 3.5 million. The first one half cent sales tax is 2.72 million. The second one half sales tax is 2.7 million.

The Register of Deeds had proposed \$628,000 in revenue this year, which is \$52,000 less than the current year. If you check the numbers on actual revenues so far, she has generated \$636,000. He stated that he increased the revenue in the Register of Deeds office from \$628,000 to the budget level of this year of \$680,000.

The revenue for the Health Department total is \$2.329 million. The revenue for DSS is \$6.2 million, which is up roughly \$314,000. Investment earnings was \$450,000 for this budget year. This will be forecast at \$600,000, an increase of \$150,000, mainly due to a larger fund balance.

General Fund expenses are a 2 ½% COLA for employees. In the General Fund, there has only been the creation of 2 new positions that are EMS Ambulance Drivers. The County currently pays employees .28 cents per mile when they use their own vehicles, he suggested this go to .31 cents, which is more in line with the Federal Government. When employees are outside the County, they are currently paid \$5 for breakfast, he is suggesting that be raised to \$6, lunch is currently \$7, he suggested raising that to \$9, and dinner is currently \$12, he suggested raising this to \$15.

\$40,000 has been placed in line item 5190 for a pay study. 1995 was the last time the County conducted a pay study. \$32,500 was allotted for the annual audit.

The Elections Department has asked for a full-time position, but was not given this position.

The Register of Deeds asked for a new full-time position which was not allowed, and also requested \$12,200 for additional office furniture and was allowed \$6,200. She asked for \$23,000 for computers, and has been allowed \$11,500 and they are trying to find money in this year's budget for the other \$11,500. Rent on buildings increased from \$960 to a little over \$14,000 for the additional space in the Bank of America Building.

The Sheriff's Department asked for vehicles last year, and all were cut to provide for the schools, and to start up EMS. There is a request for \$315,000, which will purchase roughly 15 new vehicles. The Sheriff has also requested that the Sheriff's Department be combined into one department, currently the Sheriff's Department is a separate department, the jail, Comm Center, and Animal Control are all separate departments. David Lawrence with the Institute of Government sees no problem with this, so he suggested it for the Board's consideration.

Emergency telephone system has an increase in salaries. There are a few position changes – Candace Ramseur, who currently does addressing part time, will go 100% to addressing, and all her salary will come out of the emergency telephone system. Mike Helms, who put the County's road signs up 2 days per week, 40% of his salary will come from this budget. Beverly Childers, who does E911 addressing, 50% of her salary will come from this budget.

The Jail budget includes \$46,000 for 2 new vehicles. These were asked for last year but were not granted.

The Fire Marshal asked for a new position, which was not allowed. He presented the following Fire Department requests.

<u>Fire Department</u>	<u>Tax Rate Requested</u>	<u>Change from Last year</u>
Union	5 cents	Same

Boger City	5 cents	Up from 3 cents
North Brook	5 cents	Same
Alexis	5 cents	Same
Pumpkin Center	5 cents	Same
Howard's Creek	5 cents	Same
East Lincoln County	3 cents	Same
North 321	3.5 cents	Same
Crouse	4 cents	Same
Denver	4 cents	Same
South Fork	5 cents	Up from 4 cents

The Building and Land Development Department requested vehicles last year and were turned down. They have requested 3 vehicles this year which were allowed. They requested \$5,000 for computers, and are looking for the money in this year's budget.

In the Emergency Ambulance budget, there were 2 new positions created.

District Court requested \$20,000 for new furniture, and were allowed \$15,000.

In the Solid Waste budget, there have been problems for years with the Car Farm and Webbs Road Convenience Sites. He stated that they have requested \$77,000 to expand the Car Farm Convenience Site, and \$75,000 for the Webbs Road Convenience Site, a total of \$152,000. Mr. Kiser stated that he did not allow the expansion of the Owl's Den site, which would cost \$92,000 or redoing the site, which would cost \$150,000. He stated that this should either be done this budget year or the next.

The National Guard, Lake Norman Marine Commission, and Mountain Island Lake Marine Commission were funded as requested.

Soil and Water Conservation requested a new position, which was not funded.

Rescue Squads have requested \$9000, and Bill Ward has been told to find the money in this year's budget.

Commissioner Gamble asked if the computers could not be upgraded.

Mr. Kiser stated that this could be looked into.

Under Miscellaneous grants, there is \$5500, \$5000 of which is for the YMCA project, which the Board had committed to funding.

The Council of Aging, Arts Council, Main Street Program, Cultural Center, and Chamber of Commerce were funded as requested.

Commissioner Brotherton asked if there would be a Main Street Program funded by the County if West Norman passes.

Economic Development Association had requested that their funding go back to \$165,000, which was granted.

Commissioner Brotherton stated that he has been on the EDA Board for 3 years and he is beginning to believe more would be accomplished if the City and County would combine forces and borrow \$1.5 million to finish the park in Lincolnton and buy property for a park in east Lincoln County.

The Budget request for the Health Department was \$3,520,000, up from \$3.2 million the previous year.

In the DSS budget, \$494,000 is the County's 50%, where they pay for people in rest homes. Medicaid increased from \$1,370,000 to \$1,889,000, a \$519,000 increase. The total DSS budget increased from \$8.6 million to \$9,334,000, of the County's share of this was \$2,731,000 this year, and will be \$3,391,000 next year. This is a \$659,000 increase or 24% increase, but without the Medicaid portion, it is only a 3% increase.

The School's current expense increased from \$7,937,000 to \$8,916,000, or a 979,000 increase or 12.3%.

Recreation requested \$701,000, which is the amount put into the budget.

Historical Properties requested \$13,546, and he approved only \$7546. The Historical Properties Commission had asked for \$6,000 to pay for 501(C)3 status to be eligible for grants. He stated that it is the Board's decision if they want to do this.

Darrell Harkey stated that they got a grant from Timken, but couldn't get the money because they are not a 501(c)3.

The original estimate for debt service was \$4,593,000, since the Board has by consensus given support for an EDA project for \$70,000, and \$450,000 to cover the interest for the school bonds. This would bring the debt service to \$5.1 million.

There is \$476,362 general fund money headed into the CIP program.

There was \$26,357 placed into contingency, for a sudden emergency.

The total budget is \$49,660,669.

Mr. Kiser reviewed the funds 20 – 26. In the CIP, there is \$476,362 from the General Fund. There is \$300,000 coming in from the hospital as part of the lawsuit settlement. In the CIP budget, there is \$164,798 for the upgrading of the computer system to bring more services online and to provide a firewall in the server. \$166,000 for the cost on an ambulance, and \$133,000 to cover the cost of converting the old jail into an EMS base. Solid Waste has requested an additional roll-off truck, and with the payment on the existing truck, it would bring the total to \$65,564. The Recreation Budget requested \$750,000 and \$170,000 was approved. Mr. Kiser reviewed the funding for Recreation's projects.

The revenue from the water fund is as follows: Water taps and availability fees are estimated at \$280,000 and water sales are estimated at \$2.6 million. They have estimated the loan amount at \$457,770. The Hoyle's Creek Sewer Treatment Plant will no longer be a budget item, once the line is written. The total revenue for the water system is \$3,554,974.

There is \$303,000 in expense for the Water Treatment Department for salaries. There is \$1,457,000 for Bond Principal, and \$701,000 in Bond Interest, for a total of \$2,158,342 or 60% of the entire budget.

In the East Lincoln Sewer District, the total assessment came to \$827,614,705. At a collection rate of 97.31%, that would make \$805,351,869. At a tax rate of 15 cents, that would generate \$1,208,027. Sewer taps, which is grinder pumps, taps, and availability fees came to a revenue of \$650,000. With the sewer fees, they forecast them to be \$430,000. Mr. Kiser stated that he is suggesting that they raise the sewer rates for those outside the sewer district. The total estimated revenue for the Sewer District is \$2,572,000. Salaries are \$173,000, Environmental is \$210,000, bond principal is \$775,000, bond interest is \$699,00, with total payments of \$1,474,000. Mr. Kiser stated that he has approved repayment of the remaining \$250,000 to repay the Interlocal Agreement between the County and the East Lincoln Sewer District.

The Landfill tipping fee is estimated at \$325,000 of revenue. The Availability fee will generate \$1,895,000. The total revenue is \$2,521,800. The landfill has requested that all of John Avery and Nancy Rickard's salaries come out of a landfill fund itself, and that they create one full time position in the landfill fund. The expenses are \$184,000 for salaries, \$200,000 for additional land purchase, \$150,000 to test for ground water, and \$75,000 to do the testing. \$1.4 million has been placed into reserve. He stated that you cannot borrow money to cap a landfill. Mr. Kiser stated that John Avery would like water lines run from the Crouse area to the landfill.

Recess: Chairman Hallman called for a five minute recess.
Chairman Hallman called the meeting back to order.

Comments on Hospital:

Commissioner Brotherton stated that the Board signed an agreement that they would not interfere with the hospital's dealings. He stated that there is nothing this Board can do about it, and he does not want to talk about it every meeting. He stated that he thinks they are treading on very dangerous ground legally.

Commissioner Gamble stated that the North Carolina State Statutes say loud and clear that the County Commissioners are responsible for the health of the citizens of the County. Commissioner Gamble asked if the Board was willing to vote to pay for an audit of the hospital, which they agreed to do, but has not been done.

Commissioner Brotherton stated that if the Board takes that action, they have broken their agreement.

Jeff Taylor stated that the Board of Commissioners has followed through with everything they promised to do, but the Hospital Board has not provided the promised audit.

Chairman Hallman stated that he would not have a problem with this if the Board approached the hospital, and said the Board is sensitive to the financial condition of the hospital, but in order to fulfill the terms of the agreement, the Board would be willing to fund the audit they agreed to.

Commissioner Gamble presented the following Resolution to the Board.

PROPOSED RESOLUTION FOR AN AUDIT OF LINCOLN HEALTH SYSTEMS

WHEREAS, the Lincoln Health Systems nor any of its affiliates has honored the agreement reached on June 23, 1999 with the Lincoln County Board of Commissioners with regard to an audit;

WHEREAS, the Lincoln Medical Center as the income producing affiliate of the Lincoln health Systems has lost money for the last three fiscal years according to a recent statement to me in a conference;

WHEREAS, these losses have not appeared in the audits of the Lincoln Health Systems for the FY 1997, FY 1998, nor FY 1999;

WHEREAS, the audits we have seen do not segregate the various affiliates balance sheets but were commingled suggesting a problem with the segregating of different affiliate's finances;

WHEREAS, the current CFO stated to the Lincoln County Board of Commissioners at its May meeting with the Lincoln Health Systems that the financial accounts were in a terrible condition when he arrived and that he was just then getting a handle on them,

WHEREAS, many employees are concerned about their retirement, 403b plan and other employee benefits because at least one retired employee has had great difficulty collecting hers;

WHEREAS, the Lincoln Medical Center has lost one lawsuit and settled another regarding employee benefits which in so far as we can determine are not yet handled in a timely and correct fashion;

WHEREAS, the Lincoln County Board of Commissioners has the ultimate responsibility for the Lincoln Medical Center;

WHEREAS, the Lincoln County Board of Commissioners has the responsibility of the health of the citizens of the county according to G. S. 153A-149 and GS 131E-5;

WHEREAS, the Lincoln County Board of Commissioners cannot adequately address these responsibilities without true, current, and full disclosure;

WHEREAS, the Lincoln Health Systems has never answered the questions submitted to them on June 23, 1999;

BE IT RESOLVED that the Lincoln County Board of Commissioners demand and request a full investigative audit for the FY years 1995 through the present date, to include but not limited to, the EMS, Lincoln Medical Foundation, the YMCA, all medical practices, purchases and operations, all realty transfers, all contracts, all employee benefits and any other information to supply a complete understanding of the operation;

BE IT RESOLVED also that this audit be conducted by a firm not doing or having done audits for Carolinas Medical Systems nor any of its affiliates or by a firm not doing or having done an audit for Lincoln Health Systems or its affiliates;

FURTHER, BE IT RESOLVED that due to the financial condition of Lincoln Health Systems/Lincoln Medical Center that Lincoln County pay for the audit; and that the audit be begun within the next thirty days and completed as expeditiously as possible.

Vacancies:

Commissioner Saine presented the following list of Vacancies:

Lincoln County Child Protection Team	1
Nursing and Adult Care Home Community Advisory Committee	4
Gaston Community Action	1

APPOINTMENTS:

Library Board

Reappoint: Katharine Price, Kathryn Shidal

Regional Library Board

Reappoint: Katharine Price

Nursing and Adult Home Advisory Committee:

Appoint: Marlene Meyer

UPON MOTION by Commissioner Gamble, the Board voted unanimously to appoint Marlene Meyer to the Nursing and Adult Home Advisory Committee and reappoint Katharine Price and Kathryn Shidal to the Library Board and reappoint Katharine Price to the Regional Library Board.

Calendar:

Chairman Hallman presented the Board's calendar for the month of June, 2000. The Board set the following dates as work sessions: May 23, 24, and 30 and June 1, 2000 at 5:30 PM.

County Commissioners' Report:

Commissioner Waters stated that he has been asked the question if the County would be willing to consider a County Cemetery at some point in time. He stated that he would be glad to go talk to the City about it.

Commissioner Brotherton asked Jeff Taylor if he had heard anything on the turn lane at the convenience site at Webbs Chapel.

Jeff Taylor stated that it will be completed by either the end of June or July one.

Commissioner Brotherton stated that Rock Springs School is in the process of a fundraiser for an upper body exercise equipment. He stated that in order to complete the project by the beginning of the school year, they need to order the equipment by the end of this school year. He stated that they are about \$15,000 short.

Commissioner Brotherton made a motion that the Board supply them with a grant of \$15,000 for the upper body exercise building.

Commissioner Gamble stated that this is opening the door for a number of requests.

Chairman Hallman stated that all the other schools will come up hollering that they didn't get theirs.

Commissioner Waters stated that he feels the \$15,000 is too much money.

Vote: 2 – 3 AYES: Hallman, Brotherton
NOES: Saine, Waters, Gamble

County Manager's Report: Stan Kiser, County Manager, stated that it has been suggested that the Board put on/off switches on the microphones. He has received an estimate of \$875, or \$125 each.

A MOTION by Commissioner Gamble to put the on/off switches on the microphones.

Commissioner Waters stated that he has a problem with getting the on/off switches. He stated that the purpose of the new sound system was to have completely open meetings.

Vote: 1 – 4 AYES: Gamble
NOES: Waters, Hallman, Saine, Brotherton

Recess: **UPON MOTION** by Commissioner Waters, the Board recessed the meeting to May 23, 2000 at 5:30 PM.