

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 30, 2000

The Lincoln County Board of County Commissioners met for a budget work session on May 30, 2000, which was recessed from May 24, 2000, which was recessed from May 23, 2000, which was recessed from 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
Amy S. Long, Clerk to the Board

Chairman Hallman reconvened the May 24, 2000 meeting, which was recessed from May 23, 2000, which was recessed from May 15, 2000.

Adoption of Agenda: UPON MOTION by Commissioner Brotherton, the Board voted unanimously to adopt the agenda with the following amendments: 1a – E911 Addressing – Madge Huffman and 1b – Appointment to Centralina Workforce Development Board.

AGENDA
BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, NORTH CAROLINA
RECESSED FROM MAY 24, 2000, WHICH WAS RECESSED FROM MAY 23,
2000, WHICH WAS RECESSED FROM MAY 15, 2000

MAY 30, 2000

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| | 6:45 PM | Reconvene May 15, 2000 Meeting |
| 1. | 6:45 PM | Other Business |
| | | 1. Squires Homes Request for Water Service |
| 2. | 7:00 PM | Budget Work Session |

Adjourn

Squires Homes Request for Water Service – Jack Chandler: Jack Chandler stated that Squires Homes is proposing a new subdivision on North Ingleside Farm Road in eastern Lincoln County. The proposed subdivision is adjacent to Killian Creek. The Water System has sufficient capacity for this development. The developer will fund any extension of or improvements to the existing water system. This proposed subdivision is approximately 150 acres to be divided into approximately 346 residential lots.

UPON MOTION by Commissioner Waters, the Board voted unanimously to advise the developer that water capacity is available for this proposed subdivision.

UPON MOTION by Commissioner Waters, the Board voted unanimously to let them hook onto the water system if the subdivision is approved, at the developer's expense.

E-911 Addressing – Madge Huffman: Madge Huffman stated that one area affected by growth is the Addressing Procedures for County Road Names. There are many departments within county government that are affected by having an accurate database of the road/street information. E-911 relies on this source for routing of emergency vehicles. As the county has grown, the departments are no longer housed in one central location. The procedures for data flow have not been clearly defined. Under the direction of the County Manager, she and Lew Hartford have formed an Addressing Procedure Committee to study the existing flow and determine if everyone's needs and requirements are being met. The departments making up this committee are Building and Land Development, Board of Elections, Register of Deeds, MIS – Data Processing, GIS – Department Mapping, Tax Department, City of Lincoln Planning Department, Sheriff's Department, E-911, and the School System. Ms. Huffman presented the minutes from the Committee's minutes and flow charts.

She presented the following draft agreement with Robert Kimball & Associates, Inc., which is a blanket contract, in the amount of \$25,000, to provide Lincoln County with consulting/addressing services on an as needed basis.

TERMS AND CONDITIONS

ARTICLE 1

COMPANY'S RESPONSIBILITIES

1.1 Basic Services

Basic services are premised on the professional services performed by the COMPANY'S employees and consultants as enumerated in the Statement of Work.

1.2 Standard of Care and Accuracy

The standard of care for all services performed or furnished by COMPANY under this Agreement will be the care and skill ordinarily used by members of COMPANY'S profession practicing under similar conditions at the same time and in the same locality where the services are to be tendered.

1.3 Performance

Upon the request of the CLIENT, the COMPANY shall submit for the CLIENT'S approval a schedule for the performance of the COMPANY'S services, which may be adjusted as the Project proceeds, and shall include allowances for periods of time required for the CLIENT'S review and approval of submissions by authorities having jurisdiction over the Project. The COMPANY or CLIENT shall not, except for reasonable cause, exceed time limits established by this schedule approved by the CLIENT.

ARTICLE 2

CLIENT'S RESPONSIBILITIES

Except as otherwise provided in Statement of Work, CLIENT shall do the following in a timely manner so as not to delay the services of COMPANY, and CLIENT shall bear all costs incident thereto:

- 2.1** The CLIENT shall provide full information regarding requirements for the Project, including a program, which shall set forth the CLIENT'S objectives, schedule, constraints, and criteria, and any special requirements.
- 2.2** Designate in writing a persona to act, as CLIENT'S representative with respect to the services to be performed or furnished by COMPANY under this Agreement. Such person will have complete authority to transmit instructions, receive information, and interpret and define CLIENT'S policies and decisions with respect to COMPANY'S services for the Project.
- 2.3** CLIENT shall provide to COMPANY for its use the Source Data and other related information outlined in Statement of Work, which Source Data forms the basis for COMPANY'S work under this Agreement. This Source Data, or other related information, shall be provided in such a manner as not to delay or impede COMPANY'S services. CLIENT shall be responsible for, and COMPANY may rely upon, the accuracy and completeness of all reports, data and other information furnished pursuant to this paragraph.
- 2.4** Give prompt written notice to COMPANY whenever CLIENT observes or otherwise becomes aware of any development that affects the scope or time of performance or furnishing of COMPANY'S services, or any defect or nonconformance in COMPANY'S services.

- 2.5** Furnish, or direct COMPANY to furnish, Additional Services as stipulated in Article 3, or other services as required.

ARTICLE 3

ADDITIONAL SERVICES

3.1. Additional Services Requiring Authorization in Advance

If authorized in writing by CLIENT, COMPANY shall furnish or obtain from others Additional Services of the types listed below. These services are not included as part of Basic Services, except to the extent otherwise indicated in Statement of Work. COMPANY shall be paid for Additional Services in accordance with an amendment to this Agreement that the parties will negotiate in good faith.

- 3.1.1.** Services resulting from significant changes in the scope, extent, or character of the Project, including, but not limited to, changes in size, complexity. CLIENT'S schedule, character of the Project, and/or revising previously accepted maps or documents.
- 3.1.2.** Services to revise previously prepared project documents, when such revisions are required by changes in laws or regulations enacted subsequent to the date said project documents began to be created.
- 3.1.3.** Services resulting from facts revealed about conditions:
 - 3.1.3.1** Which are different from Source Data or other information about such conditions that CLIENT previously provided to COMPANY under Article 2 and upon which COMPANY was entitled to reply; or
 - 3.1.3.2** Which CLIENT had responsibility or provide information under Article 2, if such information was not previously provided.
- 3.1.4.** Preparing to serve or serving as a consultant or witness for CLIENT in any litigation, arbitration, or other legal or administrative proceeding involving the Project.
- 3.1.5.** Other additional services performed or furnished by COMPANY in connection with the Project, including services, which are to be furnished by CLIENT under Article 2, and services not otherwise provided for in this Agreement.

ARTICLE 4

PAYMENTS TO THE COMPANY

4.1. Direct Personnel and Consultant Labor Expense

COMPANY shall be compensated for its services on an hourly basis in accordance with the attached Professional Fee Schedule or in accordance with a fee schedule defined by any amendment to this Agreement for a specific project or project phase.

- 4.2.1. Expense of transportation in connection with any project or project phase: expenses in connection with authorized out-of-town travel; long-distance communications; and fees paid for securing approval of authorities having jurisdiction over any project or project phase.
- 4.2.2. Expense of reproductions, postage and handling of Drawings, Specifications and other documents.
- 4.2.3. If authorized in advance by the CLIENT expense of overtime work requiring higher than regular rates.
- 4.2.4. Expense of additional insurance coverage or limits, including professional liability insurance requested by the Client in excess of that normally carried by the COMPANY and COMPANY'S consultants.
- 4.2.5. Expense of computer-aided design and drafting equipment time when used in connection with any project or project phase.
- 4.2.6. Expense of software when required and purchased in connection with any project or project phase.

4.3 Project and Project Phase

Prior to initiating any project or project phase, the COMPANY will require a letter of authorization from the CLIENT.

4.4 Accounting Records

Records of reimbursable expenses and personnel expenses shall be available to the CLIENT or the CLIENT'S authorized representative at mutually convenient times.

A MOTION by Commissioner Waters to approve the Consulting Contract and at some time in the future get a better estimate on what it will cost.

AN AMENDMENT TO THE MOTION by Commissioner Waters to authorize up to the \$25,000 and authorize the County Manager to negotiate an agreement in consultation with GIS and the County Attorney.

VOTE: Unanimously approved.

Appointments:

Commissioner Saine stated that a recommendation has been sent to her nominating Cornelius Willingham to the Workforce Development Board.

A MOTION by Commissioner Saine to appoint Cornelius Willingham to the Workforce Development Board.

Commissioner Gamble asked where Mr. Willingham lives.

Jeff Taylor, County Attorney, stated that Mr. Willingham lives in or around Cornelius. He stated that he does not know if there is a residency requirement or not.

Commissioner Saine withdrew the motion to check with Ken Kindley and Centralina.

Budget Work Session:

Joanie Belk stated that they are asking for additional funding for a pediatric primary care clinic. This is to see sick children in the County, who do not have a physician seeing them. The Health Department would serve as "Health Choice" provider, in addition to their current status as a "Health Check" (EPSDT-Medicaid) provider. This would enable many of the children who do not have access to a primary care physician to have a "medical home". By identifying problems in need of treatment in our regular Well-child screening clinics, and then being able to get them an appointment for treatment in our proposed weekly pediatric primary care clinic, more children's health problems will be alleviated through consistent on-going availability of care. Prevention and early intervention also result in long-term cost savings while maximizing another generation's learning potential. The projected start-up costs are \$53,500. For the first six months, they would only operate 4 hours per week, with the ultimate goal being to operate 8 hours per week, 50 weeks per year. She stated that Smart Start is interested in this project.

UPON MOTION by Commissioner Gamble, the Board voted unanimously to put \$53,500 in the budget for use in this clinic.

Erma Deen Hoyle stated that there was a change in the bid opening for the East Lincoln Community Center due to a conflict with the architect. These were moved to Thursday at 2:00 p.m.

Ms. Hoyle stated that she understands that there was a possibility of money being funded for various schools. She stated that if this is approved, some guidelines would need to be set as to how the money can be spent, who makes the decision, who pays the bills.

Chairman Hallman advised Erma Deen Hoyle to get with the Clerk to listen to the tape from the meeting at which this was discussed. He advised Ms. Hoyle to write up some guidelines.

Erma Deen Hoyle asked the Board to reinstate the funds for Block Smith Gym air conditioning. She stated that there are a lot of walkers that work in Lincolnton, that live in other areas of the County.

Commissioner Saine stated that at one of the budget talks last week, she understood that the Board allowed \$10,000 to each of the middle and elementary schools. She stated that last year they allowed West Lincoln and Lincolnton High Schools \$50,000 through their athletic department through the Recreation Department.

A MOTION by Commissioner Saine to catch East Lincoln High School up, since they were apparently the only school left out, by allocating \$50,000 to the East Lincoln High School athletics department and run it through the Recreation Department.

Commissioner Waters stated that he felt that was a great idea.

Commissioner Brotherton stated that Commissioner Saine made the statement “the only school left out”. He stated that he originated this mess, and the schools were never the primary objective. The objective was something that would benefit the community, the schools would make secondary use and benefit from it. The people at East Lincoln School did not understand this. Commissioner Brotherton stated that he will vote for the motion because he has learned that band and balls takes precedence over books in East Lincoln.

Vote: Unanimously approved.

Mr. Kiser stated that there are 14 elementary and middle schools and the alternative school. The total on this came to \$150,000.

Commissioner Brotherton asked why the Charter Schools are being ignored.

Erma Deen Hoyle stated that the Charter Schools are not County owned or leased.

Chairman Hallman stated that there are specific Statutes about Charter Schools.

Chairman Hallman brought up the fact that Erma Deen Hoyle requested funding for Block Smith Gym.

Commissioner Brotherton stated that until the zoning with the City is settled for once and all, he wouldn't vote to put a nickel in it. He stated that it would only take a few changes in City Council and you don't know what is going to happen with it.

Jeff Taylor stated that the Council's decision was to make this permanent.

Erma Deen Hoyle stated that we do not have to go back before the City Council unless we don't air condition the facility within the next 2 years, or if we make a request to enlarge the capacity by finding more parking places, or if we don't follow the conditions as set forth in the Conditional Use Permit.

Commissioner Brotherton stated that he has been the biggest critic of recreation spending in the City of Lincoln and the rest of the County gets shafted.

Erma Deen Hoyle stated that a lot of the participants that use it would be the summer playground programs, which come from Rock Springs, Union, and Love Memorial.

Commissioner Beth Saine stated that she has received a request for a minimal amount of money from the Historic Properties Commission for making a walking trail at Ramseur's

Mill. The Commission has requested \$15,000, which will cover grading and materials, the work will be done by volunteers.

A MOTION by Commissioner Saine to allocate \$15,000 to the Lincoln County Historic Properties Commission for the Ramseur's Mill Battle Site Trail.

Commissioner Gamble stated that he is going to vote against this. He stated that he would vote for this next year, but as a matter of principle he is voting against it.

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

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

Chairman Hallman stated that there is a lot of zoning activity going on. He stated that he feels a Zoning Administrator position should be allocated. He asked Mr. Kiser what this would cost.

Mr. Kiser stated that between \$37,000 to \$38,000 would cover this.

A MOTION by Chairman Hallman to reinstate the Zoning Administrator position.

AN AMENDMENT TO THE MOTION by Commissioner Gamble that the motion be delayed for one year.

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

Vote on Chairman Hallman's original motion: 3 – 2
AYES: Hallman, Brotherton, Saine
NOES: Waters, Gamble

Larry Craig stated that the Historic Properties Commission has lost some grant money from Timken because they are not a 501(c)3. He stated that Liz Dreesen has talked with some attorneys about this, and an attorney that specializes in this would charge between \$3,000 and \$6,000. Mr. Craig stated that this was left out of their budget, and they would like this money put back.

Darrell Harkey stated that they applied for a grant from Timken to purchase the Stonewall Jackson Furnace. Timken was going to give \$120,000, but could not because they were not a 501(c)3. He stated that people who contribute money cannot deduct it from their taxes.

Chairman Hallman asked if time was of the essence, or if the County Attorney could fill out the paperwork for it.

Darrell Harkey stated that he does not think that time is of the essence.
Chairman Hallman stated that this would be put on the agenda at a later date.

Commissioner Saine stated that employees are typically given a 2.5% pay increase. She stated that she would like to suggest that across the board, a 5% raise be given to employees.

Stan Kiser stated that this would cost around \$300,000.

Commissioner Waters stated that the problem with a 5% raise is that 5% of a big number is a bigger than 5% of a smaller number. He stated that that's the problem with percentage increases. He stated that there may be some that are way underpaid and some that are overpaid. With across the board increases, the rich get richer and the poor get poorer.

Chairman Hallman stated that there will be a pay study at some time in the future that would take care of the inequities.

Mr. Kiser stated that Ms. Emily Robinson told him that the last time there was a pay study done, it wasn't entirely funded, but resulted in a 7.41% increase. He stated that all departments complain to him that Gaston and Mecklenburg counties are trying to recruit employees away. He stated that for a county our size, our salaries are fairly competitive.

Commissioner Saine stated that a lot of the time Lincoln County trains these employees and they go to another county.

Commissioner Brotherton stated that he learned last week that a police officer in Mount Holly starts out at \$26,000. Lincoln County Sheriff's Deputies start out at \$21,000.

A MOTION by Commissioner Saine to give an additional 2.5% salary increase across the board.

Commissioner Gamble stated that he is going to vote against it.

Mr. Kiser stated that Ms. Robinson approached him today and mentioned that instead of doing a pay study, that employees be given an additional 2.5%.

Commissioner Waters stated that he is against the pay study.

AN AMENDMENT TO THE MOTION by Commissioner Saine to give an additional 2.5% to bring it up to 5% across the board raise, and do away with the pay study.

Commissioner Brotherton stated that he would like to go back to Commissioner Waters' statements about rich getting richer and poor getting poorer. He stated that he wishes this

could be structured so that the people making from the minimum up to \$28,000 - \$29,000 get a 10% or 5% increase, and those over and above either get 1% or no pay increase.

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

Chairman Hallman advised that if Commissioner Saine would have the motion to change salaries by an additional 2.5%, the Board can work Monday night on the figures.

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