

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, OCTOBER 16, 2000**

The Lincoln County Board of County Commissioners met in regular session on October 16, 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  
Lee Lawson, Land Use Coordinator  
Candace Ramseur, Development Technician  
Kelly Atkins, Director of Building and Land Development  
Shane Stewart, Zoning Administrator

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

**Invocation:** Rev. Jerry Goodman, Lincolnton Pentecostal Holiness Church, gave the Invocation.

**Pledge of Allegiance**

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

**AGENDA**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

**OCTOBER 16, 2000**

5:30 PM

Call to Order

5:30 PM

Invocation – Rev. Jerry Goodman, Lincolnton Pentecostal Holiness Church

5:30 PM Pledge of Allegiance

1. 5:30 PM Adoption of Agenda

2. 5:30 PM Approval of Minutes  
- October 2, 2000

3. 5:35 PM Consent Agenda  
- Tax Requests for Releases  
    Less than \$100 – August 16 – September 15, 2000  
    More than \$100 – August 16 – September 15, 2000  
- Tax Requests for Refunds  
    Less than \$100 – August 16 – September 15, 2000  
    More than \$100 – August 16 – September 15, 2000  
- Budget Adjustments 20, 22, 23  
- Water Customers Requesting Adjustment  
- Letter of Credit – Lee Killian, Denver Industrial Park

4. 5:35 PM Public Comments

5. 5:50 PM Request for Additional Deputies – Sheriff Barbara Pickens

6. 6:00 PM At this time, the Board of Commissioners will recess the October 16, 2000 meeting and open the October 16, 2000 Board of Variance and Appeals Meeting.

7. 6:30 PM Group Medical Insurance Proposal for 2001 – Mike Jackson

8. 6:40 PM School Textbook Discussion

9. 6:55 PM Franchise Agreement for Charter Communications

10. 7:05 PM Resolution Providing for the Issuance of \$7,500,000 General Obligation School Bonds

11. 7:15 PM 2001 Holiday Schedule

12. 7:25 PM Financing Agreement for Sherrill Property

13. 7:35 PM Vacancies

14. 7:40 PM Appointments

15. 7:45 PM Calendar

16. 7:50 PM County Commissioners' Report
17. 8:00 PM County Manager's Report
18. 8:10 PM County Finance Officer's Report
19. 8:20 PM Hospital Report
20. 8:30 PM Other Business

Adjourn

**Approval of Minutes – October 2, 2000:** Chairman Hallman presented the minutes of the October 2, 2000 Board of Commissioners meeting for the Board's approval.

**A MOTION** by Commissioner Brotherton to approve the minutes of the October 2, 2000 meeting as presented.

**Vote:** Unanimously approved.

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

Commissioner Gamble stated that there was an item on this, relief of water bills, and he still is not seeing any acknowledgement in the department's requests for relief that they have determined that the relief that the homeowner is asking for is based on a leak between the meter and the house or exterior to the meter. He stated that he thought the Board discussed extensively the fact that if the leak was interior to the meter, that the homeowner would just have to swallow that, because it was on their responsibility. He stated that he does not see that acknowledgement by the department yet on these recommendations. Commissioner Gamble stated that he just thinks there ought to be some rules that the public will know what yard stick we're going by. He stated that he doesn't have a problem with the people asking for relief for the charges that they think are not right or excessive.

Brad Jewell stated that they have an adjustment policy that they have been following. He stated that Amy Ward has gone downstairs to get a copy of it. Mr. Jewell stated that the policy says that if a person does have a leak on their side of the meter, they do have to verify that they did have a leak, and typically they provide either plumbers bills or a list of materials that they have bought to fix the leak. He stated that they then go back through their records and do a twelve month average on what their typical consumption is and what that high bill was, and that's the difference. He stated that what they are paying for is the cost of the water to treat and deliver it to the home.

Commissioner Gamble stated that he read a couple of these letters from the users of water, and he didn't see a reply to that letter that told them that yes, we've investigated it, found that the leak was on the house side of the meter, or exterior to the meter, and thereby rule number so and so would apply to this situation.

Mr. Jewell stated that he thinks this is done verbally.

Commissioner Gamble stated that this is the worst thing that could happen to you, dealing with the government and get a verbal answer.

Mr. Jewell stated that they could follow up with a letter, that would be easy enough to do.

Commissioner Gamble stated that he thinks they ought to see that. He stated that if he wrote a letter and had \$180, and he was trying to ask for some relief, and they didn't even acknowledge his letter.

Chairman Hallman stated that he thinks Mr. Jewell's verbal comment to the homeowner is still subject to Board of Commissioners approving this document.

Commissioner Gamble stated that it kind of comes to the Board as old hash. He stated that it's not a hot item when it reaches the Board, like when the homeowner brings it to Mr. Jewell, and he respects the homeowner coming to Mr. Jewell, and thinks it's a burden on him to have to come. He stated that nevertheless, we are giving one guy \$180 that we don't give another guy who could concoct an equally good story. He asked for some assurance that those the Board are relieving are entitled to that relief, and if Mr. Jewell says they don't then he takes the flack, the Board doesn't.

Chairman Hallman asked if the Letter of Credit for Lee Killian was in the Board packets.

Kelly Atkins passed the information on the Letter of Credit for Lee Killian to the Board. He stated that this has been run by the County Engineer and the County Attorney.

Jeff Taylor stated that this is another in the series of routine situations that come up under the Subdivision Ordinance. He stated that from a legal standpoint, it's just like the other ones the Board has approved on numerous occasions, it's always subject to verification by staff of the numbers, but he believes staff is satisfied with the numbers on it.

**A MOTION** by Commissioner Gamble to approve the Consent Agenda.

**Vote:** Unanimously approved.

RELEASES FOR AUGUST 16<sup>TH</sup> THRU SEPTEMBER 15, 2000

MORE THAN \$100 – VEHICLES

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
BB & T Leasing Corp.	2000	0109871	\$112.00
Beaver, Timothy Scott	1998/99	0071408	\$163.66
Blanton, Bobby Wayne Sr.	2000	0095861	\$108.82
Catawba Rental Co. Inc.	2000	0065446	\$470.20
Cline, George Odell	1999	0130383	\$206.43
Crouse, Gary Lee	2000	0073398	\$114.59
Deutsch, Harold Joel	2000	0145377	\$135.84
Donlen Corp.	2000	0071152	\$1,957.93
Guillen, Wilfredo	1999	0136387	\$108.62
McMillian & Sons Inc.	2000	0113404	\$128.41
New Vision Ministries of Linc.	2000	0126890	\$136.17
Pentagon/Eby Brown	2000	0143070	\$274.80
Richard Jackson Motorsports	2000	0135042	\$135.17
Serving Construction Sites	2000	0139708	\$254.62
Sherrill, Rachel C.	1999	15604	\$114.04
Sigmon, Leslie Charles	2000	0090221	\$140.06
Smith, Sandra Kay	2000	0112026	\$198.11
Sprinkles, Glenn Halen	2000	0124093	\$161.35
Turner, Larry S.	2000	08849	\$128.61
Wulhorst, David Edward	2000	0103387	\$184.89
		<b>TOTAL</b>	<b>\$5,234.32</b>

#### LESS THAN \$100 - VEHICLES

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
Bandy, Susan Smith	1999	0065139	\$44.39
Barnes, Robert Arthur	2000	0143647	\$66.22
Benfield, Michelle Bivens	2000	0134152	\$15.08
Bishop, Angela Sabrina	2000	0090313	\$14.61
Black, Bernice Huffman	1999	0115933	\$4.52
Bradham, Dana Byrum	1999	0121644	\$56.39
Brege, James Matthew	2000	0070986	\$40.13
Brittain, Charles F.	2000	48677	\$58.53
Bundy, Michael Dwayne	2000	0137240	\$12.49
Burns, Maryann	1998/99	0108389	\$66.71
Burton, Ronald Lee	1999	0101783	\$29.86
Butler, Duncan Eric	2000	0076660	\$11.63
Canipe, Debra Buff	1999	0142836	\$11.79
Carter, Gary Alan	2000	0100132	\$11.54
Carver, Alvin Ray Jr.	2000	0118157	\$78.39
Chaney, James R.	2000	11774	\$12.44
Cianflone, Anthony T.	2000	03078	\$19.57
Clark, Christopher Andre	1999	0104662	\$43.13
Cloninger, Earl Milton	2000	0145287	\$37.23
Collins, Mary Broome	2000	0093182	\$36.02
Collins, Michael Derwin	2000	0100941	\$36.45
Combes, Daniel Ray	1999/00	0116543	\$70.39
Cook, Johnny Wayne	2000	0092281	\$13.38
Cooper, Jeffrey T.	2000	0060515	\$12.91
David, Michael Alex	2000	0127588	\$96.03
Deaton, James Tommy	1993	0078637	\$19.29
Dellinger, Christopher Wayne	2000	0075171	\$29.33

Dellinger, William Joseph Jr.	2000	0065262	\$1.10
Denver Mobile Home Moving	2000	0096342	\$4.40
Dorsey, Chrisley III	2000	0085130	\$56.92
Eggleston, Lyla Brown	2000	0084678	\$50.22
Elrod, Theo	2000	0128845	\$26.56
Faulkner, Jeremy Arnold	2000	0082170	\$34.05
Ferguson, Wesley Neil	2000	0134006	\$68.94
Fortenberry, Paul Scott	2000	0145897	\$66.34
Froneberger, Gary L.	2000	31406	\$79.97
Froneberger, Robin Wade	1999	0125302	\$47.86
Frye, Robert Glenn Jr.	1999	0126517	\$53.90
Fuller, Katherine Lynn	2000	0145887	\$46.60
Gantt, Joe Billy	2000	19320	\$7.39
Gibby, Mary Ann	2000	0107410	\$97.74
Gold, Roger Dale	2000	0123896	\$30.41
Goodson, W. Kevin	2000	31526	\$12.15
Guffie, Mamie Margaret	2000	0091604	\$36.15
Habashi, Maher F.	1999	0098400	\$54.09
Harrelson, William Clay Jr.	2000	0089047	\$43.44
Hartsoe, Rebecca Wesson	2000	0130551	\$18.93
Hawkins, Jessie Lee	2000	0064971	\$93.43
Heath, Rita Weaver	2000	0144758	\$14.88
Heavner, David Ralph	2000	37047	\$43.45
Holloway, Vicki E. Cook	2000	0109253	\$30.98
Hovis, James D. Jr.	2000	0135954	\$45.47
Humphries, Robert Baker	2000	0145312	\$25.55
Icard, Gene Roland Jr.	1995	07183	\$15.23
Jones, Jesse Lee	2000	0130253	\$23.77
Jones, Susan Hartzoge	2000	0086687	\$27.67
Kearney, John L.	2000	0138823	\$11.95
Keener, Milton Eurey	2000	0086466	\$34.62
Kirkland, Emmanuel	1999	41077	\$3.22
Kirkpatrick, Charles Durand	1999	48557	\$10.72
Lail, Paul Steven	2000	0068923	\$28.90
Levine, Marvin	2000	0070527	\$53.59
Lingerfelt, Roy Brandon	2000	0074684	\$32.12
Link, Curtis Jerome Jr.	2000	0090449	\$65.61
Lockman, John T.	2000	10728	\$35.28
McLeod, John Lathan	2000	0101272	\$15.73
Meeks, James Paul	2000	0129885	\$2.71
Mitchell, Curtis Lamar	2000	0146122	\$25.80
Mosteller, Phillip Alonzo II	2000	0145149	\$7.06
Motz, Tammy Martin	1999	0097965	\$78.08
Mull, George Pinkney III	1999	0082343	\$40.81
Parker, Daniel Neal	2000	0114809	\$52.38
Pearson, William Louis	2000	0066056	\$12.97
Phillips, Charles Spurgeon Jr.	1999	0087507	\$31.68
Proctor, Stacey Madison	2000	0066533	\$4.07
Queen, Rose Aleah	2000	0146111	\$31.59
Quinlan, Steven Patrick	2000	0145641	\$36.55
Ramsey, James A.	2000	0141527	\$55.97
Ramsey, James Joseph III	2000	20624	\$8.49
Randall, Michael	2000	14230	\$18.19
Ratcliff, Paul Daniel	2000	0145631	\$6.27
Reinhardt, George Thomas	1999	14551	\$9.71
Rex, Mark Alan	2000	0068229	\$22.38
Rhymer, Sylvia Ann	2000	0124145	\$17.30

Rice, Richard Bon	1999	0143452	\$83.85
Richards, Michael L.	1999	0127347	\$86.38
Roberts, Thomas Allen	1999	0113226	\$66.18
Rogers, Drexel H. Jr.	2000	0133843	\$63.56
Ross Builders & Supply Inc.	1999	0121164	\$1.05
Roy, Patricia Knighton	2000	0077758	\$67.20
Sailors, Terry C.	2000	0103819	\$37.42
Saine, Keith W. Jr.	2000	13613	\$57.49
Schrum, David Lee	2000	0134220	\$27.34
Scoville, Ross Wayne	2000	0071153	\$24.69
Scronce, Karen Hedgpeth	2000	0071052	\$66.10
Seagle, Douglas Lemar	2000	0141923	\$23.85
Sechrist, Kirby Dale	2000	0097026	\$22.06
Sigmon, Edith C. (Mrs. Perry)	2000	09460	\$31.26
Simms, Glenda H.	2000	0106515	\$92.04
Slaughter, William Gene	1999	0075815	\$60.32
Smith, Jerry Allen	2000	38548	\$26.73
Smith, Richard Kelly Jr.	2000	0089852	\$29.58
Sossamon, Nancy Patterson	2000	0145686	\$97.33
Steelman, Jonathan Frank	2000	0144990	\$53.51
Stroup, Michael Andrew	2000	0075262	\$37.06
Surratt, Clemath Ray Jr.	2000	0130394	\$29.89
Tate, Jerry Keith Jr.	2000	0071186	\$55.60
Thomas, Carl Ray	2000	0074992	\$31.13
Thompson, Jack Dewayne	2000	0144739	\$58.99
Valdes, Marvin Duran	2000	0128067	\$5.99
Vane, Andrew Scott	2000	0135833	\$16.70
Walker, Clyde William Jr.	2000	0071482	\$27.39
Waters, Joe Daniel	1999	0116334	\$5.37
Wellman, Johnny Paul	2000	0112570	\$27.12
Whisnant, Caryn Liane	2000	0145711	\$14.24
White, Billy Franklin	2000	0070569	\$11.73
Whited, Sonny James	1999	0141246	\$11.18
Wilson, Felicia Johnson	2000	0068235	\$8.02
Wilson, Joseph K. Jr.	2000	22151	\$25.39
Wise, Ronnie Dale	2000	0079999	\$2.99
Wise, Wayne Russell	2000	0069231	\$37.68
Wolfe, Dawn Austin	2000	0145339	\$9.11
Zamora, Fernando	2000	0131000	\$12.37
Zientek, Thomas Joseph	2000	0108378	\$15.43
Zimmer, C. A. Inc.	2000	0114975	\$79.39
		TOTAL	\$4,400.50

NAME	YEAR	A/C NO	AMOUNT
Arthur, Harry Ernest	2000	00206	\$1,040.45
Auten, Raymond	2000	0134667	\$118.13
Collins, Jerald Ray Sr.	2000	0105222	\$494.88
Craig, Benny J.	2000	21803	\$133.98
Davis, Terri Dean	1996-00	33883	\$255.01
GES Enterprise Inc.	2000	0139411	\$281.11
Harrill, Carol R.	2000	0130889	\$548.68
Hatfield Ignitions	2000	0140488	\$147.27
Hawkins, Valerie Seagle	2000	0106140	\$125.29

Holloway, Edrice Louise	2000	0079816	\$125.29
Holloway, Edrice Louise	2000	0079816	\$2,001.00
Icard, Gene Roland Jr.	1991/92	07183	\$182.60
Love, Edgar Jr.	1996-00	0120199	\$1,897.30
Medvidovich, John Charles	2000	0086174	\$126.23
Michael, Hugh E.	2000	16367	\$727.66
Mitchem, Carroll D. & Robin	2000	0130142	\$222.14
Moore, Clifford Jr.	2000	0110998	\$112.33
Rhyne Heights Methodist	2000	33662	\$1,157.49
Robinette, Zaye Thomas	1999/00	0113385	\$128.04
Rogers, Allan Scott	2000	0068987	\$124.74
Rollins, Brian T.	2000	02745	\$206.75
Roush Racing	2000	0140069	\$1,138.50
Scoggins, John R.	1990-00	43268	\$130.34
Scronce, James Evan Jr.	2000	0133416	\$590.19
Southern Leather Services	2000	0140043	\$121.00
Stafford, Larry	1999/00	0115791	\$177.65
Sutton, Scott Mongomerey	2000	0070928	\$175.21
Sylvia's Pottery	1995-99	0109601	\$333.05
Truck Transfer Service Inc.	2000	0107247	\$212.80
Vencor Nursing Centers East	2000	0144372	\$328.91
Wehunt, J. C. & Sons	2000	26313	\$269.43
Wellbridge Orthopaedics PA	2000	0133240	\$382.93
Whisnant, Lisa Smith	1999/00	0066697	\$260.60
Workman, Johnie T.	2000	0108834	\$138.00
Workman, Kathleen S.	2000	0097404	\$138.00
Young, Timothy A.	1999/00	29096	\$154.49

LINCOLN COUNTY TAX DEPARTMENT  
REQUEST FOR REFUNDS  
ANNUALS

PERIOD COVERED (August 16 – September 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
Andrews, Gregory N.	2000	ELF/ELSD	0143214	61.48
BB&T Mortgage	2000	DFD	18134	3.15
Ballard, Lester N. & Eunice	2000	DFD	0085334	21.29
Bank of America #2190	2000	CITY	28894	10.17
Bank of America #2318	2000	ELFD	0132386	35.53
Banc of America #2318	2000	DFD/ELSD	0064351	4.11
Banc of America	2000	DFD	0134892	2.58
Bank United of Texas	2000	BCFD	0105828	15.03
Barker, Mary Broome	2000	DFD/ELSD	17977	26.92
Buckner, David & Gertrude E.	2000	N321	31251	5.19
Cox, Camillia	2000	ELF/ELSD	21793	1.80
Carpenter, Tony	2000	ALFD	37826	24.44
Carpenter, Tony	2000	ALFD	37826	25.00
Centura Bank	2000	DFD/ELSD	48331	46.18

Chase Manhattan Mtg. Corp.	2000	BCFD	0101227	57.74
Chase Manhattan Mtg. Corp.	2000	ELFD	0062527	3.57
Chase Manhattan Mtg. Corp.	2000	ELFD/ELSD	19254	2.42
Chase Manhattan Mtg. Corp.	2000	CITY	16539	1.32
Chase Manhattan Mtg. Corp.	2000	DFD/ELSD	0098442	8.92
Cherry, Martha R.	2000	PCFD	0128668	22.72
Cherryville Federal S & L Assoc.	2000	SFFD	39566	65.02
Citi-Mortgage	2000	HCFD	06133	10.00
Claw Inc.	2000	BCFD	0144039	16.47
Colonial Mortgage Co.	2000	ELF/ELSD	43369	14.47
Colonial Mortgage Co.	2000	PCFD	16696	1.71
Countrywide Homes Loans, Inc.	2000	CITY	0062609	69.27
Djali, Reza & Kimberly	2000	ELF/ELSD	17695	3.85
Edison Security Corp.	2000	DFD/ELSD	0144367	70.40
First Citizens Bank #1414	2000	BCFD	14547	6.01
First Citizens Bank	2000	N321	0134634	87.42
First Federal S & L Assoc.	2000	CRFD	15961	7.60
First Federal Savings & Loan	2000	CITY	48630	28.38
First horizon Home Loans	2000	PCFD	0114664	5.32
First Nationwide Mortgage	2000	BCFD	0098370	87.53
Fleet Mortgage Group, Inc.	2000	SFFD	36387	9.01
Fleet Mortgage Group Inc.	2000	PCFD	47928	1.34
Fleet Mortgage Group Inc.	2000	PCFD	0109673	30.72
Franklin, Benjamin & Sue	1999	BCFD	17210	6.42
Green, Dennis Warren	2000	HCFD	31548	1.20
Harrison, John D. & Virginia	2000	BCFD	14213	5.48
Heafner, William & Debra	2000	CRFD	41999	18.85
Homeside Lending Inc. #8384	2000	ALFD	0128225	44.57
Homeside Lending Inc. #8384	2000	ALFD	0128225	20.75
Homeside Lending Inc. #8384	2000	ELF/ELSD	20467	4.59
Homeside Lending Inc. #8384	2000	UNFD	02783	28.69
Homeside Lending Inc. #8384	2000	BCFD	40771	1.57
Howard, David W.	2000	BCFD	0097274	18.00
Howard, Patricia A.	2000	ELF/ELSD	0138262	1.00
Hudson, Brenda H.	1999	UNFD	0121862	38.37
Hunt, Lehona M.	2000	PCFD	0131909	42.41
Israel, Rabindran & Regina	2000	PCFD	0081012	12.37
Jarvis, Robert W.	2000	ELFD/ELSD	39457	46.26
Johnson, Robert & Helen, Heirs	2000	UNFD	03270	17.16
Jones, Bobby & Juanita	2000	CITY	0119814	2.69
King, David & Debroah	2000	PCFD	06050	3.03
Light, Zora P.	1999	ALFD	0068632	82.95
Light, Zora P.	1999	ALFD	0068632	38.00
Lilly, Thomas	2000	ELFD/ELSD	0130730	5.87
Link, Charles Hobart	2000	PCFD	0107371	70.38
Marsh Associates	2000	HCFD	0130065	5.38
McKee, Frances Hill	2000	DFD	0081110	71.21
McMahan, William Charles	2000	N321	0115853	7.98
McRee, William E & Charles Fulbright	2000	N321	0123304	86.61
Oakwood Acceptance Corp.	2000	DFD	0103818	37.42
O'Sheal, Mitchell & Lisa	2000	ALFD	0135776	91.11
Pfefferkorn, Co., The	2000	HCFD	0062585	54.88
Poole, Richard & Bobby Jean	2000	BCFD	13931	32.81
Powell, Ruby G.	2000	NBFD	0106508	11.17
Principal Residential Mortgage	2000	SFFD	08538	35.59
Sigmon, Chad Lee	2000	N321	0066776	2.63
Sigmon, Timothy H.	2000	ELF/ELSD	0130178	70.05
Stafford, Larry	1998	ELF/ELSD	0115791	85.81
Thomas, Juanita & Eulice	2000	ELFD/ELSD	0130863	20.30
Trawick, Mack & Deborah	2000	DFD	0100811	52.80

Turner, Roy C.	2000	CITY	08864	9.54
Turner, Roy C.	2000	CITY	0133196	1.76
Walker, Johnny K. & Candy R.	1999	PCFD	0105246	3.83
Walker, Johnny K. & Candy R.	2000	NBFD	01558	90.00
Wells Fargo Home Mtg.	2000	DFD/ELSD	0135253	40.18
Wells Fargo Home Mtg.	2000	DFD	0114932	1.06
Yoder, J. Larry	2000	UNFD	04147	10.68

LINCOLN COUNTY TAX DEPARTMENT  
REQUEST FOR REFUNDS  
ANNUALS

PERIOD COVERED (August 16 – September 15, 2000)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Atlantic Mortgage	2000	UNFD	0105839	\$126.76
BB&T	1999	N321	04503	631.52
BB&T	2000	PCFD	0062276	992.51
BB&T	2000	ALFD	0130884	515.75
BB&T	2000	BCFD	16548	109.76
Bank of America #2848	2000	ELF/ELSD	0123952	1,909.39
Bank of America #2318	2000	PCFD	0097721	360.57
Bank of America	2000	DFD	0140468	747.05
Banc of America	2000	HCFD	0115114	590.23
Banc of America	2000	DFD	0134892	545.49
Bank of America	2000	ELF/ELSD	0134234	240.29
Bennett, Timothy & Heather	2000	DFD/ELSD	0137698	697.83
Burgess, Ricky & Shanna	2000	PCFD	0138839	577.39
Centura Bank #1255	2000	DFD/ELSD	48331	625.44
Chapman, Suzanne	2000	BCFD	11804	135.50
Charter One Mortgage	2000	DFD	18042	1,996.88
Chase Manhattan Mtg. Corp.	2000	ELF/ELSD	0128898	1,305.39
Chase Manhattan Mtg. Corp.	2000	DFD	0128794	1,483.21
Chase Manhattan Mtg. Corp.	2000	BCFD	17218	498.55
Cherry, Thomas Stephen	2000	ELF/ELSD	21148	536.10
Cook, Earl Lee	2000	UNFD	0087361	373.29
Corbin, Howard	2000	CITY	05007	2,377.85
Edison Security Corp.	2000	CITY	0144369	204.05
EMC Mortgage Corp.	2000	DFD	0132905	894.23
Fidelity National Tax Service, Inc.	2000	ALFD	0123267	720.95
Fidelity National Tax Service, Inc.	2000	N321	17066	281.42
Fidelity National Tax Service, Inc.	2000	N321	0133785	350.04
First Citizens Bank #1414	2000	BCFD	29615	645.37
First Citizens Bank #1414	2000	DFD	0128849	1,473.11
First Citizens Bank	2000	BCFD	49084	1,007.23
First Federal Savings & Laon	2000	CITY	42739	606.18
First Union Mortgage Corp.	2000	DFD/ELSD	0125485	794.61
G.E. Capital	2000	PCFD	0074896	744.55
GMAC Mortgage	2000	DFD	0130847	758.95
Guess, Bryan D.	2000	BCFD	43926	557.69
Hinkle, James & Amanda	2000	N321	0129318	432.23
Homecomings	2000	DFD/ELSD	0132487	2,376.19
Homeside Lending Inc. #8384	2000	SFFD	0140572	373.87
Homeside Lending Inc. #8384	2000	BCFD	0113486	503.40
Huffman, Robert B.	2000	DFD	0127985	120.43
Lake Electric Co. Inc.	2000	PCFD	0104908	206.37

Legurskey, Jay & Amy	2000	PCFD	0108029	500.34
Love, Edgar Love Jr.	2000	SFFD	0120199	315.49
Lowe's Companies Inc.	2000	CITY	0062863	13,993.96
Marsh Associates	2000	ELF/ELSD	0129665	749.16
Miller, Pauline	2000	ELFD	20663	258.17
Motz, Troy A.	2000	BCFD	0133752	303.33
Old Kent	2000	CITY	04346	213.30
Old Kent	2000	NBFD	0138131	373.40
Peplinski, Jason & Rebecca	2000	ELFD/ELSD	0139831	1,311.59
Pimlott, Philip David	2000	ELFD/ELSD	0139268	1,255.86
PNC Mortgage Corp.	2000	ELF/ELSD	0136776	1,295.77
Principal Residential Mtg.	2000	CITY	0138110	738.23
Principal Residential Mtg.	2000	ELF/ELSD	0138799	786.31
Putnam, Donald M.	2000	DFD	39265	2,096.73
RBMG	2000	SFFD	04599	1,363.66
Regions Mortgage Inc.	2000	ELF/ELSD	0135474	760.97
Sibert, Wayne & Peggy	2000	BCFD	15849	916.03
South Trust	2000	DFD/ELSD	0123230	994.77
Southtrust	2000	ELFD	0086867	454.07
Wells Fargo Home Mtg.	2000	ELF/ELSD	0124917	1,481.20
Wells Fargo Home Mtg.	2000	BCFD	0130925	5,656.16
Wilkinson, Richard & Martha	2000	ELFD/ELSD	22063	156.46
Yandle, Charles & Linda M.	2000	NBFD	0127272	732.04
			TOTAL	\$67,134.62

**TOTAL** \$67,134.62

LINCOLN COUNTY TAX DEPARTMENT  
REQUEST FOR REFUNDS  
MOTOR VEHICLES

PERIOD COVER (August 16 – September 16, 2000)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Accurate Roofing & Maintenance	2000	N321	0135970	\$65.85
Alvarez, Donna Marie	1999	ALFD	0119843	73.00
Anderson, Caryn Lyn	2000	ELF/ELSD	0071575	55.97
Arnold, Elmer G.	1999	BCFD	0127625	9.15
Baygents, J. Daryl & Donna	1999	DFD/ELSD	0133848	9.60
Beal, Tony D.	2000	N321	0091803	1.59
Berryhill, Margaret E.	2000	SFFD	06228	3.43
Brown, Clarence Osborne Jr.	2000	NBFD	01541	2.98
Cagle, Thomas J. & Donna S.	2000	BCFD	30684	1.41
Carter, William C.	1999	BCFD	11673	6.83
Cherry, Lois C.	1999	CITY	0084605	26.25
Chinchilla-Gonzalez, Alvaro	2000	BCFD	0137584	1.37
Clark Heating & Air Conditioning	2000	BCFD	24589	1.80
Cochrane, Jody W. & Charity G.	2000	CITY	0114670	7.05
Collins, Justin H.	1999	BCFD	0104294	18.56
Conrad, Randy K.	1999	BCFD	0085937	11.61
Continental Coating Inc.	2000	ELFD	0132859	1.94
Conway, John Francis	2000	DFD	0136970	4.07
Cook, Earl Lee	1999	UNFD	0087361	6.21
Davey, Stanley G. Jr.	2000	PCFD	0130378	1.68
Davis, Edwin D.	2000	ELFD/ELSD	0137956	3.90
Davis, Lewis W.	1999	ALFD	0066777	2.21
Davis, Tyrene	2000	N321	0138416	2.84
Day, Ronnie Lee	1999	HCFD	0103669	1.33
Denver Appraisal Company	1999	ELF/ELSD	0130007	99.15
Edwards Pipeline Co. Inc.	2000	ELF/ELSD	37060	28.09
Elmore, Billy L. & Susan C.	2000	HCFD	0087530	2.55
First Union National Bank	2000	NBFD	0132242	97.16
Ford Motor Credit Co.	1999	PCFD	0111821	94.86
Grigg, Nancy G.	1999	CITY	0123755	63.54

Hall, Dennis K.	1999	NBFD	0104990	8.11
Heavner, Dorothy T.	2000	UNFD	0066668	1.25
Hermann, James H.	1999	BCFD	0111901	6.46
Holbrooks, Gary W.	1999	DFD	0106762	4.01
Horbelt, John L. & Virginia L.	2000	DFD	18141	53.25
Houser, Marshall D.	1999	CITY	07309	28.72
Hull, Harrel Daniel	1999	NBFD	0089296	14.76
Lail, David E.	2000	N321	0111703	5.17
Loftin, June Cloninger	1998	SFFD	0120737	14.39
Martin, Frank J.	1999	PCFD	0102720	19.98
Martin, Herbert T. Jr.	1999	N321	35782	31.24
Mayhue, Zachary S. & Mandy	2000	NBFD	0136760	1.44
McAteer, Dennis A.	2000	ALFD	0062838	3.07
McHugh, Sandra W.	2000	N321	0128497	6.41
Nidiffer, Jacqueline S.	2000	CITY	0089897	9.97
Odum, Amerlys M. & Walter K.	2000	N321	0101458	1.32
Randolph, Edna Ruth	2000	CRFD	0095850	1.97
Robinson, Ralph Bisaner	2000	CITY	09609	16.09
Ross Builders & Supply Inc.	2000	BCFD	0121164	1.05
Ruddy, Gerald W.	2000	HCFD	0119220	3.69
Santiago, Luis A.	2000	NBFD	0112865	1.15
Schroeter, Curt M.	2000	UNFD	0137658	2.56
Sipe, Michael E.	1998	HCFD	09613	3.50
Taylor, Tracie Moore	2000	DFD	0066883	6.16
Thompson, Robert C. Sr.	1999	ALFD	0070076	4.87
Tucker, Paul M.	2000	CITY	0127114	14.89
Turnmire, Randy R.	2000	N321	0091905	1.35
Vinyard, Matthew & Jacqueline	1999	ELFD	0126989	1.85
Vonstaden, Patrick & Tina	1999	BCFD	0098117	33.09
Walker, Johnny K. & Candy	2000	PCFD	0094316	2.00
Workman, Myles E. & Shelia W.	2000	N321	0071178	7.09
Wright, William Jerry	2000	NBFD	01958	23.59
			TOTAL	\$1,040.43

LINCOLN COUNTY TAX DEPARTMENT  
 REQUEST FOR REFUNDS  
 MOTOR VEHICLES

PERIOD COVERED (August 16 – September 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
Allcar Motorsports	2000	ELFD/ELSD	0135218	\$271.86
Bank of America Auto Finance	1999	CITY	0140133	245.37
Chaney, James M. Jr.	2000	SFFD	0069599	362.71
Dunn, Arlie	1998-00	CITY	0130391	237.78
Grigg, Nancy G.	1997-98	City	0123735	162.90
Holman, Teresa K.	2000	N321	0064405	114.85
Marcum, Randall J.	2000	CITY	34099	144.18
Spivey Construction Co. Inc.	2000	DFD/ELSD	0137713	658.75
Taylor, Phyllis R.	2000	CITY	0091819	638.88
			TOTAL	\$2,837.28

Budget Adjustments:

- Budget Adjustment No. 20 for 1 & 2 Roll-over from Kate B. Reynolds Charity Trust to be used for Dental Clinic. For 2, 3, and 4 – Roll-over from Medicaid Max funds to be used for clinical services and expansion, intercom system, storage fee for medical records stored off-site, and computerization needs.

- Budget Adjustment No. 22 for increasing expenditure and revenue line items for additional food stamp worker approved by County Commissioners.
- Budget Adjustment No. 23 for increasing expenditure and revenue line items for Families For Kids program. Two positions were approved by Commissioners. (Note: Creating a new sub-department and expenditure line items for this program.) Line item 5495 will be used for promoting, advertising, and training events, which could include speakers, facilities, costs, etc.

**WATER ACCOUNTS REQUESTING ADJUSTMENT  
SEPTEMBER 11, 2000 – OCTOBER 4, 2000**

NAME	ACCOUNT #	ADJUSTMENT	NEW TOTAL	REASON
David Curtis	6143701-00	\$285.78	\$190.49	Leak
Harry & Patricia Grillo	4065331-02	\$ 96.44	\$ 69.85	Leak
Robert Naylor	6149031-00	\$ 24.67	\$ 36.39	Leak
David Sexton	6148192-00	\$121.56	\$ 79.49	Unknown
Julie Tyson	6108542-01	\$769.14	\$350.14	Leak

**Letter of Credit – Lee Killian, Denver Industrial Park**

**Public Comments:** Chairman Hallman advised that this was the time the Board of Commissioners would receive comments from the citizens regarding any matter they desired to address.

**Jimmie Dellinger** stated that he would like to speak to the land on the east that the Board is talking about to finance for the school. He asked the Commissioners who have seen this property to raise their hands. He stated that he sees two who have. Mr. Dellinger stated that at one of the meetings, Commissioner Saine made the comment that it was good property, all property is good. He asked Commissioner Saine to read the property and the amounts from some handouts.

Commissioner Saine stated that she didn't think she made the comment that it was good property.

Mr. Dellinger stated that ever what Ms. Saine's comment was, he may have interpreted it, it was something to the effect of good property or better property. He stated that he doesn't know what Ms. Saine's comment was, but she had some comment about the property. Mr. Dellinger asked Ms. Saine to read where the land is and the price off his sheet.

Chairman Hallman stated that if Mr. Dellinger has a statement to make to the Board, he should just read it, and the Board will listen to it.

Mr. Dellinger stated that you have the Nixon property here, 25 acres at \$20,000 per acre. He stated that you have Clark property from \$0 to \$15,000 for 25 acres. He stated that the Sherrill property is 31.25 at \$20,000 per acre, the asking price is \$625,000. He stated that the Lawing property is from 1 to 43 acres, and is \$11,628. The Lineberger property

is from 20 to 30 acres at \$10,000 per acre. The Mundy property is \$300 per acre and price is unknown for it. He stated that you have as good of property or better property with no gullies with a better price, and he thinks Lincoln County can do better and deserve better than what the people have recommended and what the Board's fixing to do to the Lincoln County taxpayers. Mr. Dellinger stated that he hopes that the Board will really consider this thing. He stated that the only way into it is Highway 16, one way in and one way out, and it increases the traffic. He stated that if the Board wants to vote for death row on 16, then vote yes, if the Board doesn't want death row on 16, vote no.

Commissioner Gamble asked if Mr. Dellinger feels the property is overpriced.

Mr. Dellinger stated that he does.

Commissioner Gamble asked what the property is worth, in his opinion.

Mr. Dellinger stated that the property is on the tax book for about \$46,000 for the whole tract of property.

Commissioner Gamble asked how many acres were in the whole tract.

Mr. Dellinger stated that it is between 31 and 32 acres.

Commissioner Gamble asked if Mr. Dellinger knows of any extenuating circumstances that would run the price of it up from the county valuation.

Mr. Dellinger stated that he cannot answer that, he does not know. He stated that he does know that there is better property and the reason he asks if anyone has seen this property is that, you might think he's exaggerating, but there's gullies and gorges on this property, if you trimmed the corners of the Citizens Center off, you could set the Citizens Center in it. He stated that if the Board thinks he's exaggerating, they need to take a look at it. He stated that if he were a Commissioner, he would think twice before he bought something like this.

Commissioner Gamble asked how much the property is.

Mr. Dellinger stated that its six hundred and some thousand.

Commissioner Gamble stated that the reason he is bringing this up is because Commissioner Waters made a point of the price of the property in their earlier discussions. Commissioner Gamble stated that it's \$625,000 and the cost per acre is \$25,000.

Mr. Dellinger stated that it is his understanding that they will have to buy a right of way to this property, acres unknown, and prices unknown. He stated that the list could go on and on.

Commissioner Gamble asked if the entrance acreage was not included in this price.

Mr. Dellinger stated that it is not.

Commissioner Brotherton stated that it is.

Mr. Dellinger asked what it is.

Commissioner Brotherton stated that he doesn't know off hand. He stated that the total price is over \$600,000, but the price for the right of way is included in the amount that the School Board is paying for this. He stated that he would like to talk a little bit about land prices in east Lincoln County. Commissioner Brotherton stated that down on Killian Road, he believes Mr. Dellinger is a party of some land down there that a major industry is presently looking at, and he believes the land was priced at \$22,000 per acre with no water and sewer. He stated that there's also some land in Little Egypt, as he refers to it down off Optimist Club Road, that some people have offered to sell to the School Board with no water and no sewer for \$17,000 per acre. Commissioner Brotherton stated that he doesn't think this land is totally overpriced. He stated that if we want to talk about rough land for building schools, we need to go over and look at the East Lincoln High School. He stated that he doesn't know where Mr. Dellinger was at in 1965 and 1966, but that's a rock pile and a gully.

Mr. Dellinger stated that they did not pay \$25,000 per acre for it.

Commissioner Brotherton stated that this was in 1966.

Chairman Hallman stated that he thinks the Board has about beat this horse to death.

Mr. Dellinger stated that Chairman Hallman doesn't want to hear him. He stated that he appreciates the time, and thinks the Board should consider this.

Chairman Hallman stated that Mr. Dellinger's three minutes were well over.

**Ray Cloninger** stated that he lives in Denver, right beside of Highway 16, and he has been a victim of the crime, his wife and he, in the business they have. He stated that he may get the chance to speak later in support of Barbara's request. He stated that it is certainly needed, Barbara and her staff are doing a great job, but they can't be everywhere at one time. He stated that when we increase the population in the county, it looks like we decrease the population and employees of the Sheriff's Department. Mr. Cloninger stated that this doesn't work too well when there's people out there seeking ways to rob somebody and destroy somebody's property.

**Carol Clise** stated that on October 12, the following letter was sent to the Lincoln County Board of Education, the Lincoln County Commissioners, the Chamber of Commerce, the Commissioner candidates, and the media. She read the following letter so it would be part of the permanent record.

Ladies and Gentlemen:

The Board of Directors of the East Lincoln Betterment Association voted to go on record as being opposed to the choice of the site for the next elementary school being planned for the eastern end of the county for the following reasons: suitability of the access directly onto Highway 16, suitability of the topography of the property, exceeding the budgeted amount by 388% over the bond amount approved by the county voters and securing this extra funding from the county. We urge you to reconsider the option on this specific piece of property.

Thank you,

Sylvia Holmes  
East Lincoln Betterment Association President

Ms. Clise stated that Sylvia could not be here tonight and asked her to read this letter.

Commissioner Gamble asked Ms. Clise to give the Board some more information on this. He asked why they are opposing it.

Ms. Clise stated that the suitability of the access on 16, you people who drive on 16 know it's a very dangerous highway, we have several accidents, we've had some deaths on that highway, and if you would ever go up and sit at Rock Springs School at school time, you would see it's a mess up there. She stated that there is no chance of a light there, because it's too close to the intersection in Denver. Ms. Clise stated that the speculation that we can have a light down at this new site, it's very close to the light at Triangle. She stated that we have too much traffic on old 16, and this is right in a business area. Ms. Clise stated that this is one problem they have with this property. She stated that the other problem is that there was an amount set aside in the School Bond issue for the site for an elementary school. The cost of this site is far in excess of the amount that was set aside for the site. She asked where this money will come from. She stated that as the gentleman before her spoke, the property is rather overpriced, and although she knows prices have gone up, there are several other sites that would be a possibility. Ms. Clise stated that she understands some of the School Board people who voted for that site did not go over and look at it, and sit there and watch the traffic on 16. She stated that if you do not live over there, you can't realize the problems there are on 16, and that is some of the situations that the ELBA Board considered when they discussed the property.

Commissioner Saine stated that she would like to say that although Ms. Clise said that this letter was sent out October 12, she just received it when she came in today at 5:30.

Being no additional speakers, Chairman Hallman declared the Public Comments Section closed.

**Request for Additional Deputies – Sheriff Barbara Pickens:** Sheriff Barbara Pickens presented the Board with handouts. She presented the following information:

Members of the Commission, I am here tonight, not just on the part of the Lincoln County Sheriff's Office, but on part of the taxpayers and the business community for Lincoln County. Over the past two and a half months, a particular area of Lincoln County has been unusually hard hit by a number of break-ins. We had a rash of over 50 cases where telephone lines were cut, businesses entered, and money was taken. We also had a few residential break-ins that may be attributed to the same people. Well, the business community in Denver was absolutely beyond what to do. My staff had been working 24 hours a day practically trying to get this done. David Carpenter, one of my Lieutenants is in here, and they have all been pulling extra hours, and the Investigators have been pulling extra hours. Last Thursday night, and Mr. Brotherton and Mr. Waters both attended a meeting we had with the business community and I'm glad to tell you I now know what Daniel felt like when he went into the lion's den. There were a lot of upset people there, with absolute justification. The problem is not a Lincoln County problem alone, the City of Mooresville, Iredell County, Catawba County, and the City of Huntersville have also been hit by the same rash of break-ins and also had large volumes of calls. I stand before you today a happy woman, early this morning a house was broken into in my county. Now it doesn't make me happy to have a break-in, but what did make me happy was that a young person that lived in that house happened to come home and find somebody in his house, and the phone line had been cut. He goes to a next door neighbors and calls in a description of the man and the vehicle, and the next thing you know DARE Officer Gerald Dellinger who is coming up Highway 16 to 150 to come into Lincolnton has the vehicle and three suspects stopped and in custody with the assistance of some of the other officers. It turns out that the man that was in the house is the very man that was wanted by Mooresville in forty of their house and business break-ins and a suspect in ours. Now, very fortunately for us, these people have been very cooperative today. We are still working on this investigation, it's going to clear up some of the business break-ins in Denver and some of the business and residential break-ins further towards the City of Lincolnton that we've had. Now, I'm so thankful that the young man that came home did not get hurt, and that's the most important thing, but I am thankful that this person is currently sitting over at the Harven A. Crouse Law Enforcement and Detention Center and I don't have plans for him to go anywhere else. Now, some of the business community is here and they can certainly speak well for themselves. This is not just a problem that came up all of the sudden, several years ago I started planning for the growth that we are having in Lincoln County. Part of the material you have was provided by Kelly Atkins, who did a nice job for me on short notice of putting together a package from 1997 through 1999. This gives you some idea, gentlemen, of the amount of residential and commercial growth that we have experienced in Lincoln County. I applied for and received a \$500,000 federal grant for 8 officers in 1998. We also were awarded a Governor's Highway Safety Grant for 4 officers and vehicles. At that time the Board was in a dilemma building the jail, and were unable to fund those projects. If we had been able to, maybe I cannot guarantee anything, but maybe my staff would not be so short and overworked, and they could be out doing preventative patrol and working with the business community and the neighborhoods a little bit better to help prevent crime, instead of doing the end result in trying to solve crime. One of the most important things a county can do, is to protect it's citizens and it's businesses. Those are our resources and they are the only resources we have here in Lincoln County. Dr. Gamble requested some information at the last meeting and I have talked with the North Carolina

Department of Justice. They have an excellent statistician, Mr. Tim Parker, who keeps very good records here in North Carolina on all 100 counties, and he keeps records not only on officers, but on crimes that occur in North Carolina. I told him what I needed and so he went to work in what he calls his data warehouse, and got some statistics for me. If you'll look at the first page of the statistics, the information I requested was the number of officers per thousand citizens, and you can see that the national average is 2.5 officers per thousand.

Commissioner Gamble stated that he saw that. He asked if that is urban, suburban, or combined.

Sheriff Pickens stated that this is combined for North Carolina.

Commissioner Gamble asked if that is significant.

Sheriff Pickens stated that this is about average, traditionally if you will look down at the report, you will note that the cities traditionally provide more officers per thousand than counties do, and that report reflects that. If you will look down to North Carolina Police Departments, they are above the national average, they are at 2.8, while the North Carolina Sheriff's Offices are at 1.6, and Lincoln County is at 1.5.

Commissioner Gamble asked if that reflects itself on apprehensions of criminals.

Sheriff Pickens stated that it does not, the only reflection it is on is the number of officers these areas are providing for their citizens based on 1,000 citizens. You are getting one and half officer for 1,000 citizens. That does not have anything to do with our crime index. Basically Lincoln County has been very blessed that we do have a lot of property crime, but we do not have a lot of violent personal crime in Lincoln County. Sheriff Pickens stated that her understanding was the information Dr. Gamble was requesting was about the number of officers provided.

Commissioner Gamble stated that all of these questions have ramifications, and the why and what happened and just the cold bare answering of a statistical thing doesn't tell you where you are, where to go, or what to do, so he was wondering if the Sheriff had done any analytical analyoging of this material to tell the Board where we are and what they should be doing to get where we want to go.

Sheriff Pickens stated that to answer it simply, she's 53 years old and has lived in this county all her life, and has known a lot of well-educated people that look at statistics and value the statistics, but she's kind of from that old school, and Dr. Gamble's known her all her life, and she thinks statistics is something you can take and prove anything you want to prove with them. She stated that she's not standing here trying to prove anything by these statistics, her understanding was that the Board would like to look at them, and she is proud to show them to the Board. Sheriff Pickens stated that what she can tell the Board is this, Lincoln County is growing by leaps and bounds, not just on the eastern end, of course naturally, we are having the biggest explosion of residential and business growth right now on the eastern part of the county. She stated that it doesn't mean that

the western part is not growing, because it is, it's just not quite by the magnitude that the eastern part is. She stated that they have not increased in personnel other than the School Resource Officers in a number of years. Sheriff Pickens stated that her folks do one hell of a job, and she's damn proud of them, and she doesn't mind telling the Board or anyone else that. She stated that they cannot continue to work as hard as they do, running and answering calls, down on Highway 16. If the Board will notice inside the packets, the Communications Director, Mr. Leroy Buff, prepared for the Board some information, not exactly statistics, but more factual. He stated that it's the number of calls they've experienced since January 1 of this year through Sunday. Sheriff Pickens stated that if the Board will notice on there, they handle a lot of calls for service in this county, and that's just Sheriff's Office calls and doesn't have anything to do with fire, ambulance, or anything else. She stated that right now her officers, particularly the ones that work on 16, these folks are talking to you about Highway 16, they are going from call to call. She stated that there is an officer in each of the three zones that she has in the eastern part of the county. Sheriff Pickens stated that they are busy answering calls all day long, and if it's a critical type call, where there may be some danger involved in it, say it's a domestic violence, where there's weapons involved, they have to back each other up, which pulls them out of their zone long enough to make sure that they can respond to the call safely and that the citizen is safe. She stated that they are not having an opportunity to do what we want them to do, which is practice good community policing, by working in the community with the public and the business community, and making sure they get the services they need, and doing that preventative patrol. Sheriff Pickens stated that she can't guarantee the Board that if she gets the twelve people she's asking for, that this will stop crime in Lincoln County, she can guarantee it won't stop it. She stated that nothing's ever stopped it, and she wouldn't stand up here and lie to the Board and say that they will stop it if the Board gives her these people. Sheriff Pickens stated that what she is trying to say is that they are going to do their very best to slow it down, but she has to have some help. She stated that she has five investigators, one of those investigators is the Lieutenant, who is the Supervisor over the unit. She stated that the Supervisor does not supervise, because that Supervisor is investigating crimes. Sheriff Pickens stated that she has one female investigator that handles child sexual assault cases with the Department of Social Services, and she stays busy every day on those cases. She stated that sometimes they may have as many as six or eight cases per week come in from Department of Social Services, not counting other cases that come in to them about child sexual assault. Sheriff Pickens stated that this is a very difficult type case to work, and she cannot pull that person off what they are doing to do anything else, because to her that's very critical. She stated that they work really hard, they work long hours, they have to take call every week, and they deserve to get some assistance, and the citizens of Lincoln County deserve to be well protected. Sheriff Pickens stated that they are going to do their best to do that whether the Board meets her request or not, but it sure would help a whole lot for her, her staff, and the citizens if this request was passed.

Commissioner Gamble stated that Sheriff Pickens made the statement that you could do anything you wanted to with statistics. He stated that this means the Sheriff really can't tell the Board if she hired twenty more that it would do a thing to the numbers.

Sheriff Pickens asked if Commissioner Gamble is speaking of the crime index.

Commissioner Gamble stated that he doesn't know what that means, but he knows numbers of arrests.

Sheriff Pickens stated that it would make a difference in the number of arrests. She stated that crime index has a lot of factors, the number of crimes you have in your county, the Department of Justice through the State Bureau of Investigation does an annual uniform crime report. She stated that this is for the entire State of North Carolina, cities and counties, the State agencies, whether it's ALE or whatever State agency it is, and it's a reflection on what has happened in that particular jurisdiction, and the volume of crime, and the timeframe for the crimes. She stated that naturally the more people you have working, the more proactive you are in preventing crime, the better job you do. Now, if you're real good at preventing crime, your arrests are going to go down because you're preventing it sometimes before it happens. Sheriff Pickens stated that two of the things they are going to do, the Sheriff's Office and the business community down in Denver, the really good thing that has come out of this is that they are going to form a business neighborhood watch group, and they are also going to set up a Board of Directors to handle a private fund for arrest and conviction of people that do illegal activities in the Denver area. She stated that several of the business people are here tonight, and some more may have come had she been on the agenda later. Sheriff Pickens stated that she wouldn't guarantee Dr. Gamble anything and wouldn't lie to him for anything in the world, the only thing she will tell him is that as long as she's Sheriff, she's going to do the very best she can for him and the taxpayers.

Commissioner Gamble stated that it was just four months ago that the Board accepted departmental budgets for funding. He asked if this was in the Sheriff's budget.

Sheriff Pickens stated that it was not, because they were told not to dare ask for another staff person for anything.

Commissioner Gamble asked by whom they were told this.

Sheriff Pickens stated that this was part of the budget and has been part of the budget for a good while not to ask for additional staffing.

Commissioner Gamble asked who told the Sheriff that.

Sheriff Pickens stated that it came in the budget package.

Commissioner Gamble asked who signed it.

Sheriff Pickens stated that she doesn't know if the County Manager signed it, or if Leon Harmon did. She stated that this has sort of been tradition, this has been the only year that it really stopped her for asking for a whole lot.

Commissioner Gamble stated that the Sheriff is pretty gutsy to come back four months later and do what the man told her not to do. He stated that he commends her.

Sheriff Pickens stated that Dr. Gamble is not the first man that's told her that. She stated that she does not mind admitting that they have a problem and does not mind admitting that she needs some help, and she doesn't mind admitting the people that need this help are sitting behind her.

Commissioner Gamble stated that he agrees with the Sheriff, he is not finding fault with her, he's just saying the Board would have done much better to have had this discussion when they were talking cents and dollars.

Sheriff Pickens stated that she agrees and we would have been much better off two years ago to take that good federal money, which was just the tax dollars coming back to the county, but unfortunately that didn't happen.

Commissioner Gamble asked if the Commissioners voted that down. He asked how much money it was.

Sheriff Pickens stated that they voted down two grants, \$500,000 on the federal grant, and between \$200,000 and \$250,000 on the Governor's Highway Safety, which needed matching funding, and naturally you have to pick those programs up. She stated that as a matter of fact, they had the Finance Department looking to see if any of that money was still laying around in Washington that we could get our fingers on. She asked Leon Harmon if he knew anything yet.

Leon Harmon stated that he does not think we can. He stated that they said we can apply again later, but that process has ended for now.

Commissioner Waters asked Sheriff Pickens if she has any idea what percentage her budget was increased this year.

Sheriff Pickens stated that she does not know the percentage was.

Commissioner Waters stated that it was a little over 17%.

Sheriff Pickens stated that she knows the money was placed back into the budget to purchase vehicles this year, which was removed the year before.

Commissioner Waters stated that it bothers him that they increased the budget that much, and he's like Dr. Gamble there was not one officer asked for, so if we need 12 now, it seems to him there's something wrong with the budget process. He stated that they did increase it by 17%. Commissioner Waters stated that on the breakdown of calls, 40% of the calls were in the east, 34% in central, and 26% in the west. He stated that it's his perception that the officers are not assigned in that proportion, because the best he can tell, they only have six officers assigned to east Lincoln County. He stated that he doesn't know how many are assigned in west Lincoln County.

Sheriff Pickens stated that in eastern Lincoln County, there are three officers, twenty-four hours a day, one in each zone. She stated that there are six officers during a twenty-four hour period of time, but at any one twelve hour period, there are three officers working those three zones.

Commissioner Waters asked if Sheriff Pickens understood his problem, 40% of the calls and certainly not 40% of the officers. Commissioner Waters stated that he hesitates to even ask this question, how many officers are assigned to the central area.

Sheriff Pickens stated that there is one officer in each zone, and there are two zones in central, there aren't three zones. She stated that there is a supervisor that floats in all the zones, plus other units that are out. She stated that there are two zones in the western end of the county, and there is an officer in each zone.

Commissioner Waters stated that he is having a hard time understanding where all the 62 people are. He stated that the thing that was said at the meeting in the eastern part of the county, by probably four out of the five speakers, which were somewhere around 20 of the 150 businesspeople that were there, had to do with how we perceived what was happening, not how many.

Sheriff Pickens stated that she's sure that's an absolute fact, and it's just like she told some of those folks down there, anytime he wants to sit down with her, she'll go over it with him. She presented Commissioner Waters with a zone map.

Commissioner Brotherton stated that at the Board's last meeting, he did make a motion on the twelve deputies to add to the Sheriff's staff. He stated that he's not sure if he withdrew that motion or if it was tabled because some Board members wanted the Sheriff here. He stated that he thinks there has been some good discussion, so he doesn't have a problem with that. He asked if twelve will get the job done, if the Sheriff is comfortable with twelve, and if twelve will bring Lincoln County to the 1.6 state average.

Sheriff Pickens stated that twelve will get us into the 1.6 for Sheriff's Office range, it will not get us into the national average of all agencies, which it would take a lot more to do that. She stated that at the present time she is comfortable with the twelve, she's not here to bankrupt Lincoln County, and she understands about the budget process, she's been doing it a long time. Sheriff Pickens stated that she does not like having to come ask for additional funding for anything. She stated that she knows, probably better than a lot of people know, the difficulties that Lincoln County has faced and will continue to face, with the growth we're experiencing. She stated that every agency that provides any public service in Lincoln County is going to be asking for the same thing she is asking for, over and over again, because of the growth. She stated that she told the folks down in Denver the other night that it won't be long before that fire department that they were sitting in is going to have to have a full-time paid staff.

Commissioner Brotherton stated that he knows Sheriff Pickens staff do the best they can do, and the City Police Department also in apprehending these people. He stated that he has a Lincoln Times from a couple weeks ago, the Lincoln County District Court docket

for the week. He stated that there were 80 cases, in east Lincoln County they have been dealing with larceny, and there were four larceny cases that week. One was larceny, 120 days suspended, another was larceny, 45 days suspended with 24 hours community service, another was larceny, dismissed, and larceny, dismissed. Of the 80 cases that week, 27 were dismissed. He asked if the Sheriff and Mr. Burgin's people are dragging innocent people into the court system. He stated that of the total weeks business in this Lincoln County court system, with 80 cases, this \$80,000 a dollar a year judge, and the Sheriff's \$22,000 a year people that brought them in there, the total fines collected out of those 80 cases amounted to \$1,535, at an average of \$19.19 per case. Commissioner Brotherton stated that there is a problem other than the Sheriff's people trying to do their job, because if you can get by with robbery in Lincoln County for \$19.19, there'll be a lot of repeat people out there doing it.

Sheriff Pickens stated that that is a problem they have, that they have had, that every other county around us has. She stated that the only defense she'll give to our court system is that at least we do get them into the Courthouse, which is a little better than Mecklenburg does. She stated that she agrees with what Commissioner Brotherton is saying, and it's very difficult on her staff and on Chief Burgin's staff to work their rear end off trying to solve a case, listening to folks who are very irate, and then they go to court and the next thing you know they have been turned loose. Sheriff Pickens stated that she will also say that some of those people who get turned loose are not in district court, but in Superior Court, and it's a jury of their peers that turns them loose sometimes. She stated that those things do happen, it's very unpleasant, but they've been dealing with that for a number of years. She stated that it cannot stop them from doing their best to put them into the system.

Chairman Hallman stated that he would like to make a couple comments. He stated that he has looked through this list of people that have signed the petition.

Sheriff Pickens stated that it's the business community that was at the meeting last Thursday night. She stated that Mrs. McCall, from Denver Marina, fixed up a sign-up sheet, so everybody would put their name, their business, and their telephone number down.

Chairman Hallman stated that it's very impressive, he believes everybody who runs a business down there must have been at the meeting. He stated that based on that, there is certainly legitimate concern, because people typically don't go out if they aren't concerned.

Sheriff Pickens stated that there was more than concern, they definitely want something done.

Chairman Hallman stated that he thinks that is very impressive. He stated that the second thing, and he does not know how much problem the Sheriff has had with it, but with the growth in the eastern part of the county, there's a lot of houses and businesses being built, where people have to haul in materials to build those businesses, houses, and apartments.

He stated that anytime you have stuff laying around, it's an invitation to some people to get into trouble.

Sheriff Pickens stated that that's where their problem begins, naturally, that with any construction site, the minute that ground is turned over and supplies are brought in, you can have heavy equipment stolen. She stated that we've had our share, just like Mecklenburg, Cleveland, Gaston, and some of the other counties. She stated that once they start on the building project, then it's the plywood they will use to build, plumbing supplies, appliances that are stolen. She stated that you cannot put a City Policeman, Deputy Sheriff, or Highway Patrolman, or whatever you've got at every place 24 hours per day. Sheriff Pickens stated that unfortunately just does not work out that way and with the new development that we're having it does create problems, not only at these new residential dwellings, but we have a lot of businesses that are coming to Lincoln County, particularly to the eastern end, and we have a lot of established business that have been here for a long, long time that we need to look after.

Commissioner Gamble asked Sheriff Pickens how much the ineffectiveness of our court system allows criminality to continue or increase.

Sheriff Pickens stated that it perpetuates itself, it causes a general distrust from the public in the court system, in the legal system in general, it's very frustrating for taxpayers to go to court. She stated that she's sure it contributes to it, when you take people that are violating crime, send them through the court system, and they get right back out, and start the same thing all over again. She stated that the biggest problem that we face in the United States right now is drugs.

Commissioner Gamble asked if the Sheriff was talking about marijuana.

Sheriff Pickens stated that she is talking about crack cocaine.

Commissioner Gamble asked if there is some of that in Lincoln County.

Sheriff Pickens stated that she is afraid there is a little of that in Lincoln County. She stated that we have crack cocaine, regular powder cocaine, and ecstasy that you see on television rearing it's ugly head in Lincoln County. She stated that we have the same problems that Atlanta, Washington, and New York have, just on a smaller volume.

Commissioner Gamble asked if they have had any trouble getting a tougher sentence out of the court system on those kinds of crimes.

Sheriff Pickens stated that no, they have been blessed to be able to go to the federal court system with their narcotics cases. She stated that it takes them a lot of time to work a good narcotics case, and she's blessed with some good narcotics officers. She stated that they work with a lot of jurisdictions around us in a task force and the City Police Department.

Commissioner Gamble stated that it looks like you could go through the State Court System and zap those people and put them in jail.

Sheriff Pickens stated that they get more time in the federal system than they do in the state system and in the federal system they have had a lot more success getting long periods of incarceration and not at Club Fed, but some pretty tough units. She stated that it has just worked better for Law Enforcement to use the Federal Court Systems.

Commissioner Gamble stated that speaking from experience, he knows the Legislature is full of lawyers, and they bias the laws to allow for the freedom for the crime perpetrator to walk away from it with sometimes no charge even, and if you don't hurt their time, either by being in jail or their pocketbook, you haven't done anything.

Sheriff Pickens stated that that is exactly right, and they could sit up here and talk for hours about causation, and perpetuation, but they still have taxpayers to look after.

Commissioner Waters stated that what would make him more at ease with this request would be something, instead of officers per thousand people, would be things like arrest per officer. He stated that he would think the Sheriff has done some kind of evaluation of her officers and said here's how many arrests are made per officer.

Sheriff Pickens stated that they don't necessarily keep number of arrests per officer, because they serve warrants constantly. She stated that Dr. John was talking about the court system, and the court system keeps them busy serving warrants, they have this nice little thing that they do called criminal summons that they issue for people so they don't have to make bond and go to the magistrate's office and so they let people just come into court on a set court date. If they don't come into court, then they issue a warrant for them, which means bring the body in for failing to appear in court, which is a separate and distinct charge. She stated that they have officers serving warrants continually, and they also have officers making arrests. She stated that if Commissioner Waters wants statistics, she can certainly give that to him. Sheriff Pickens stated that they have officers arresting for criminal violations, such as larcenies and break-ins. She stated that they also have officers that do some traffic, that arrest for DWI, driving with no license, and that sort of thing.

Commissioner Waters stated that he is one of those guys who likes those statistics that Sheriff Pickens doesn't like.

Sheriff Pickens stated that it's not that she doesn't like them, it's just that she's learned over the years, that you can take them and make them do what you want them to do.

Commissioner Waters stated that he guesses what he's saying is that he'd like to see some justification rather than a panic thing, saying that we've a problem with crime, and we do. He stated that his name is on that list that Chairman Hallman was talking about. He stated that he doesn't own a business in Lincoln County, but he does own a home there, and has had a theft, not in his home, it happened to be on his boat. He stated that he has had a theft, and had the opportunity to get involved with one of the deputies. He

stated that he would like to see some justification for what we're talking about, not just the fact that we've got a problem. He stated that we all agree that there is a problem, there are 150 people down there that signed this sheet.

Sheriff Pickens stated that the justification that Commissioner Waters is wanting is for her to show him or create arrest statistics for him to justify the need for more officers.

Commissioner Waters stated that what he really wants the Sheriff to show is that we are using the ones we have to the best of our ability.

Sheriff Pickens stated that that's a whole different ballgame.

Commissioner Waters stated that the numbers may lie, but they don't lie in the case of 40% of the calls being in east Lincoln County.

Sheriff Pickens asked if Commissioner Waters by chance went down and looked at they type of calls they're answering.

Commissioner Waters stated that he didn't really have time to do that since the Sheriff handed this out five minutes ago.

Sheriff Pickens stated that there is a general summary there, but she would be tickled to death if Commissioner Waters would come over to her office anytime it's convenient for him, and sit down and look at the types of calls those officers are answering.

Commissioner Waters stated that what he's looking for is when somebody comes asking for something again, three and a half months into a budget, that they didn't ask for three and a half months ago, he is looking for justification coming with the request.

Commissioner Waters stated that the Sheriff can't expect him, thinking the way he does to vote for this tonight without some justification. He stated that he wouldn't have been at that meeting if he wasn't for law enforcement. He stated that he sees no justification.

Commissioner Brotherton stated that he would like to go back to some of Dr. Gamble's things, and everybody knows how many times he's made the statement, it's scary how much he and Dr. Gamble think alike on some things.

Commissioner Gamble stated that Commissioner Brotherton's becoming more democratic every time he speaks.

Commissioner Brotherton stated that he has marked all the D's on the paper for dismissed. He stated that he doesn't want Commissioner Gamble to misinterpret that for Democrats they have turned loose up here. Commissioner Brotherton stated that possession of marijuana is one, ten days in jail, possession of marijuana, 45 days suspended. He stated that once again he goes back to this is what our \$80,000 per year judges are doing to the Sheriff's \$22,000 per year officers and Mr. Burgin's officers. He asked if this is justice.

Commissioner Waters asked if Commissioner Brotherton is making a case for less officers or more officers.

Commissioner Brotherton stated that he is making a case for judges to get off their dead rear-ends and do their job.

Commissioner Waters stated that the Board has no control over them.

Sheriff Pickens stated that the citizens of Lincoln County usually don't fuss over services that they can see, and he thinks that is what Mr. Water is referring to.

Chairman Hallman stated that he thinks Board has beat this horse about as much as they can beat it. He stated that he sees that from all the people that attended the meetings, conversations he's had with people and all, that people want something done. He stated that at this time it's the pleasure of the Board to proceed to assist the Sheriff's Department in trying to corral all the criminals.

**A MOTION** by Commissioner Brotherton to fund 12 additional deputies.

He asked the Sheriff if December 1 is sufficient or if the motion should be that the funds will be available when she's able to secure each officer prior to December 1.

Sheriff Pickens stated that they need officers today, but they don't hire any officers for the Sheriff's Office, and she doesn't think Chief Burgin does either, that has not already completed Basic Law Enforcement Training and has that under their belt. She stated that you can't just go out and find officers or detention officers a dime a dozen. She stated that a lot of people think you can find them anywhere, but that's not so. Sheriff Pickens stated that if the Board would start funding a project like this in December, it would give them a month or a month and a half to start looking for people. She stated that she doubts very seriously that they could have them all hired during the first month of December.

Commissioner Brotherton stated that he would like his motion to state that the funds will be available December 1.

Commissioner Waters asked if there are current vacancies.

Sheriff Pickens stated that there are not any vacancies. She stated that right now they have one officer that is field training, they field train all new personnel for about thirteen to fourteen weeks and they have one that is completing field training.

Commissioner Gamble asked Commissioner Brotherton if he would accept an addendum to his motion that would say they would hire a full cycle, a daily cycle or weekly cycle, of new officers, put them in and see the effect of how the Sheriff can get them going, and how it will affect things. He stated that he would be prepared to make another motion later. He stated that he thinks the Board would be foolish to jump off the end of the pier, on say 12 right off, because the availability, the training, and statistical proof, which may

prove that Sheriff Pickens is right, you can do anything with statistics and it not amount to anything. He stated that he would like to change Commissioner Brotherton's motion.

Commissioner Brotherton stated that he believes that Commissioner Gamble worded that at the beginning, it was proposed as a question. He stated that he is ready to jump off the end of the pier.

Chairman Hallman stated that the Board has a motion on the floor and the motion is open for discussion.

Commissioner Gamble stated that the Board is discussing the addendum if the Board has accepted that motion.

Commissioner Brotherton stated that he did not accept it.

Commissioner Gamble stated that it really becomes the Chairman's prerogative. He stated that it has left Commissioner Brotherton behind, but he asked Commissioner Brotherton out of courtesy.

Commissioner Brotherton stated that Commissioner Gamble did not mention anything about courtesy.

Commissioner Gamble stated that he does every time he speaks.

Chairman stated that if Commissioner Gamble would like to make an amendment to the motion he can, which could be voted up or down.

Commissioner Gamble stated that an addendum is the same thing.

Commissioner Gamble asked how many bodies we would be talking about with one complete additional cycle.

Sheriff Pickens stated that it would be about four to start with, if Commissioner Gamble's talking about a cycle.

Commissioner Gamble moved as an addendum to Mr. Brotherton's motion to fund four new officers and a vehicle.

Sheriff Pickens stated that she hasn't said anything about vehicles, but if Commissioner Gamble is being generous, she'll be glad to take it.

Commissioner Gamble stated that they won't be able to do anything sitting behind a desk.

Sheriff Pickens stated that she doesn't intend for them to sit behind a desk.

Commissioner Waters stated that the assumption is that they are going to use the vehicles they already have.

Commissioner Gamble stated that maybe Sheriff Pickens doesn't need the vehicle.

Sheriff Pickens stated that she will be happy to get the people, she'll worry about the vehicles and if they can start getting some people hired and trained, and seeing how this progresses, next budget year they can talk about vehicles. She stated that they will try to do with what they have.

Commissioner Gamble stated that if the Sheriff could hire four more, in a few months the Board could say Madam Sheriff, how are you getting along, what do those new bodies mean to the statistics and how well is it serving your department and the citizens. He stated that if Sheriff Pickens comes in with a glowing report, he'll be ready to make another motion for four more.

Sheriff Pickens stated that she understands what Commissioner Gamble is saying, and hopes it would be that simple to be able to show the Board.

Commissioner Gamble stated that there's been an action on this Board to spend money right and left, and he's even thought to the point where they would bankrupt the county, so it would be an embarrassment to the new board. He stated that he does not want to do this.

Sheriff Pickens stated that she doesn't either.

Commissioner Brotherton stated that he will challenge any individual in the audience to add up the total amount of spending that's been done since the budget has been approved, and see which Commissioner has made the motion to spend the most money. He stated that he is not accusing anybody of anything, he just hopes the people will do that.

Commissioner Gamble stated that Commissioner Brotherton has put off everything they have tried to do last year to this year so he can get credit for it.

Chairman Hallman asked what Commissioner Gamble tried to do last year.

Commissioner Gamble stated that the library, the schools, everything. He stated that Commissioner Brotherton zapped them. Commissioner Gamble stated that he doesn't want to go over those dead meat items, he wants to get on with Madame Sheriff's issue.

Chairman Hallman stated that there is an amendment from Commissioner Gamble to Commissioner Brotherton's motion to only recommend four officers per cycle, and then come back at a later date for more officers.

Chairman Hallman stated that he's going to give his personal inclination, which he's not going to make a second amendment to it, but his personal inclination would be to approve the entire 12 deputies and set a hiring cycle, which the Sheriff could, if she saw the need

to not hire anymore, that she could say she doesn't need anymore. He stated that he would have perhaps been in favor of that.

Chairman Hallman called for a vote on Commissioner Gamble's amendment.

**VOTE: 2 – 3**

AYES: Waters, Gamble

NOES: Brotherton, Hallman, Saine

Chairman Hallman stated that the Board would now vote on the original motion to fund 12 deputies beginning December 1.

Commissioner Gamble asked at what cost and where the money will come from.

Commissioner Brotherton stated that it's about \$31,000 per officer.

Sheriff Pickens stated that it's roughly \$32,000 per patrol officer and about \$40,000 for investigators. She stated that it will be around \$250,000.

Commissioner Gamble asked if that covers a vehicle.

Sheriff Pickens stated that this is just for salaries and benefits.

Commissioner Gamble asked who buy uniforms for these people.

Sheriff Pickens stated that she is going to try to get it out of her budget.

Commissioner Gamble stated that he would like to hear the total figure of getting these 12 people at work with vehicles and uniforms, with the Sheriff pleased and knowing that she's comfortable with it. He asked the dollar price of that, he doesn't want anything to be sneaked in on the Board or the taxpayers.

Sheriff Pickens stated that she wouldn't dare do that, she hasn't done it in 29 years, and is not going to start today. She stated that the only thing she is asking for tonight is the 12 officers and the salary and benefit to pay those 12 officers, at a total of around \$250,000. She stated that she will try to cover everything else, and not come to the Board until the new budget year for anything else.

Commissioner Gamble asked if the Sheriff has extra money in her budget.

Sheriff Pickens stated that she didn't say she has extra money anywhere, but she has got uniforms where people have left. She stated that they are very careful with what they do with what they have. She stated that if someone leaves, they do not just throw those uniforms away, they keep them and recycle when they hire new people. She stated that they use up what they've got before they buy new.

Chairman Hallman stated that the second part of that question was where the money is coming from.

Stan Kiser stated that he would imagine it would come out of the fund balance.

Commissioner Gamble asked how much Mr. Kiser would set aside to take care of this request.

Mr. Kiser stated that it would just be a budget adjustment from the fund balance into the Sheriff's budget for \$250,000, and would be assigned to the correct line items, whether it would be the fringe benefits or the salaries.

Commissioner Waters asked if the Board is going to think about what Mr. Hallman said before or if they are just going to go out and hire 12 people December 1, if we can find them.

Sheriff Pickens stated that they are not going to find 12 people at one time.

Chairman Hallman stated that if an amendment would have been made to set it up on a staggered amount, he could have perhaps supported that, but the way he understood the amendment, it was to approve four and then come back to the well.

Sheriff Pickens stated that the way she understands the way the budget works is that nothing is lost until it is drawn out. She stated that she does not have an account with Sheriff's money in it, it's in the general fund, and until they hire somebody that money is still there. She stated that if at the end of the fiscal year she has money left, it stays in the general fund.

Commissioner Waters asked if that is how it would be done. He asked if when the Sheriff hires somebody, the amount would be transferred into her budget.

Mr. Kiser stated that they would probably to the budget adjustment for the entire \$250,000 at once into her budget.

Commissioner Waters asked why he would do this.

Sheriff Pickens stated that it would just be to show it on paper.

Mr. Kiser stated that it would be just to keep from doing it piece-meal. He stated that they can do it piece-meal if the Board would like by individual officers as they are hired, or all in one lump sum. He stated that one thing to remember, like last year we had two million dollars left over at the end of the year that rolled back into the budget, and anything left in the Sheriff's budget at the end of this budget year will go back into the general fund.

Commissioner Waters asked if money is actually transferred or if it is shown as a revenue change.

Mr. Kiser stated that it would be shown as an expense and would come out of the fund balance and go into her budget.

Commissioner Waters stated that if it is an expense it has to have a revenue to match it.

Mr. Kiser stated that it would come out of the fund balance.

Commissioner Waters asked if Mr. Kiser would do a revenue change and an expense change and it would only be spent when Sheriff Pickens hires an officer.

Mr. Kiser stated that this is correct and if the positions remain open or are not hired, the money stays there.

Chairman Hallman asked for additional comments on the motion. Being none, Chairman Hallman called for a vote on the original motion for twelve deputies beginning December 1 and until Sheriff Pickens can get it filled.

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

Chairman Hallman stated that at this time, the Board will recess the October 16, 2000 meeting to open the October 16, 2000 Board of Variance and Appeals meeting.

Chairman Hallman called the meeting back to order.

**Group Medical Insurance Proposal for 2001 – Mike Jackson:** Mike Jackson presented the following information to the Board:

The County staff and insurance committee reviewed plans and received quotes from four (4) insurance providers. These plans ranged between one (1) percent less in total premiums to seven (7) percent more in premiums than our current plan.

In our effort to provide the best insurance value for the dollar spent to the employees of Lincoln County and at the same time be good stewards of the taxpayers dollars, we investigated several options.

We looked at four (4) providers, HMO's, PPO's, networks, health coverage options offered, amount of copay, percent payment, cost per month for employees and insured groups, claims procedures, billing procedures, and administration of the plans.

It is the recommendation of the staff that Lincoln County remain with Blue Cross/Blue Shield of North Carolina, Medpoint B, as our group health insurance provider and plan for 2001.

Commissioner Gamble asked what this gentleman's title is.

Mike Jackson stated that he is the Human Resource Officer.

Commissioner Waters asked if Mike is telling the Board that they saved money on this.

Mike Jackson stated that no, he is telling that there is one other plan that is offered through the North Carolina Association of County Commissioners that is actually 6/10 of 1% cheaper than Blue Cross/Blue Shield. He stated that to go to that plan, we would have to change our claims filing procedures, our billing procedures, and our administration. He stated that they feel that those differences are negligible when compared to those other things. Mr. Jackson stated that the cost is actually \$12,000 savings to change plans, but they did not feel like it was worth changing.

Commissioner Waters stated that what he asked is if we are paying more money or less money for what Mr. Jackson is proposing than we are paying now.

Mike Jackson stated that this year, going into 2001, it is an 8.9% increase with Blue Cross/Blue Shield of North Carolina.

Commissioner Waters asked if this is what Mr. Jackson is proposing.

Mr. Jackson stated that he is, the other plans are either \$12,000 less than that, or up to 7% more than that.

Commissioner Waters asked what that does to the worker that has to pay for insurance for family.

Mr. Jackson stated that it raises the cost per worker for medical and dental coverage combined for a family, it raises that cost \$47.47 per month.

Commissioner Saine asked if it is regardless of how many is in the family.

Mr. Jackson stated that this is correct, no matter how many is in the family.

Commissioner Waters stated that it is spouse and any children. He asked if you have to have family coverage is you are planning to have a family, because you don't get pregnancy benefits if you don't.

Mr. Jackson stated that they don't have an employee/spouse coverage, to do that it makes the family coverage shoot up. He stated that there is employee, employee/child and children, no matter how many children, and employee/family.

Chairman Hallman asked if Mr. Jackson is saying that the family cost is going up \$47.47 per month.

Mr. Jackson stated that this is correct, that is the employee cost part.

Commissioner Waters stated that this kind of nails this raise the Board gave employees.

Commissioner Gamble asked if dental coverage is offered.

Mr. Jackson stated that it is offered and included in this cost.

Chairman Hallman asked what they presently pay.

Mr. Jackson stated that they presently pay \$429.63 per month, which will go to \$477.10.

Commissioner Waters asked if the 8.9% is what the employees pay or what the county pays.

Mr. Jackson stated that the 8.9% is the total cost to everybody.

Commissioner Waters stated that at the risk of being criticized by Commissioner Brotherton, he thinks the Board ought to do something about that.

Commissioner Brotherton asked if Commissioner Waters thinks the Board ought to give county employees a raise.

Commissioner Waters stated that he thinks the Board needs to do something about that \$47 per month that there insurance is increasing.

Commissioner Waters stated that if he made \$20,000 per year, that 5% raise was \$1000, this just ate up almost \$600 of it.

Commissioner Brotherton asked how many county employees there are.

Mr. Jackson stated that there are 356 employees on the current coverage. He stated that there are 23 with family coverage and 57 with employee/children coverage. He stated that the employee/children coverage is going up \$14.11.

Commissioner Waters stated that they are not looking at a whole lot of money if that's what the Board is talking about. He stated that his quick arithmetic comes up at about \$15,000, which would cover the difference. He stated that if the Board does this, the employees who have individual coverage don't get anything, only the ones who have family and child coverage do.

Commissioner Brotherton stated that a lot of employees probably aren't covering their families now for the cost factor. He asked what will happen if all of a sudden they add their families.

Commissioner Waters stated that the only way to do what he's suggesting if the Board decides to do that would be to say ok, how much do we pay for an individual, say it's

\$180, well if you take family coverage you add \$47 to that, and if you take child coverage, you have to add \$14 to that.

Commissioner Brotherton stated that if those that come along later, they will get the benefit.

Mr. Jackson stated that the county currently pays \$265.82 for medical and dental combined, and the cost is going to \$288.13.

Commissioner Waters asked if the county will cover the \$288.13.

Mr. Jackson stated that this is what has been done in the past.

Mr. Jackson stated that the family coverage total cost is \$695.45 and the employee is paying \$429.63, which is going up \$47.47.

Commissioner Waters stated that what he is trying to spend would be around \$15,000.

Commissioner Saine stated that she didn't think this would be fair to the other employees who currently don't have it.

Commissioner Waters stated that he thinks the way they'd have to do this is to say that if an individual just has the individual coverage, they get \$288.13, which means they pay no insurance premium. He stated that if they have got child coverage, they'll get \$288.13 plus \$14.00, which is \$302.13, and they have to pay the difference, which is also what they are doing, except they will now get \$14, and for the family coverage it would be \$47 added to that.

Commissioner Saine asked if you wouldn't have to offer it to all the employees.

Commissioner Waters stated that sure you would, but if you don't have any family, you're not going to cover them.

Commissioner Saine stated that she thinks there's probably some that don't have family coverage because they can't afford it.

Commissioner Waters stated that he thought the Board just answered that, now if they decide to take it, they get the advantage of what he's proposing, so that would increase the \$15,000 if they decided to take advantage of it. He stated that a lot of people are like his wife and he, when they both worked, they both had their own insurance, so there was no reason for them to pay for insurance for each other, they were covered individually. He stated that that doesn't mean that they don't have a family, they just don't have a need to cover them.

Commissioner Brotherton stated that probably the reason they are not covering their families now is that they can't afford to pay the first part.

Commissioner Waters stated that probably the reason they are not covered is the reason he just described, they've already got their own insurance.

Commissioner Brotherton stated that he would say that there are a lot that don't have their own insurance on their families.

Commissioner Waters stated that maybe they can't afford it, he's trying to make it more affordable for them.

Chairman Hallman stated that it's going up right much, probably due to the fact that Carolina Medical Center is going to be able to drive a harder bargain with insurance carriers to get more money for the hospital and we're paying for it.

Commissioner Waters stated that that definitely qualifies as a political statement.

**A MOTION** by Commissioner Waters that the county fund the increased amount, which is \$14 for child insurance, and \$47 for the family coverage for the coming year.

Chairman Hallman asked if Commissioner Waters knows what the number would be.

Commissioner Waters stated that it would probably be around \$15,000.

Mr. Kiser stated that you could have 20 people drop it or 30 people pick it up. He stated that if the Board paid it all, you'd probably have several hundred sign up.

Commissioner Brotherton stated that the majority of complaints from employees has been from the Sheriff's Department.

Commissioner Waters stated that it's the people that have low wages, and some of the people in the Sheriff's Department fit into that category. He stated that if you make \$20,000 a year, that's a big chunk of your paycheck going to insurance.

Chairman Hallman stated that without going all the way around the world, essentially what Commissioner Waters is saying is that the Board needs to approve this with the county picking up the increase, as opposed to the employee.

Commissioner Waters stated that this is correct.

Emily Robinson stated that what the Board is saying is they are going to leave the premiums at the same that they are paying now, so the premiums will not change. She stated that no employees premiums will change at this point, and if somebody new comes on they will also get this same benefit.

Commissioner Gamble asked if Commissioner Waters would accept an amendment to this motion. He asked if he would accept the amendment that the county would pick up 50% of the increase.

Commissioner Waters stated that he likes 100% a whole lot better.

Commissioner Brotherton stated that 100% is a better political move.

Commissioner Waters told Commissioner Brotherton that this is the reason he is doing this, everything he does is politically motivated. He stated that he's sorry he stole Commissioner Brotherton's thunder, he'd have let him do it if he'd wanted to.

Chairman Hallman called for a vote on the motion.

**VOTE:** Unanimously approved.

**School Textbook Discussion:** Betty Lawing, Chairman of the Lincoln County Board of Education, introduced Dr. Martin Eaddy.

Dr. Martin Eaddy stated that he's proud to be here. He stated that last month, the Board asked him to come to them with a proposal for \$250,000 for the purchase of textbooks and materials. He stated that they went back and talked with every school and every school improvement team and where textbooks are appropriate, and there are some cases where not appropriate, such as K – 2, where mostly consumables are used. He stated that where appropriate, principals and school improvement teams have given them a list of the textbooks that they would like to purchase. Dr. Eaddy stated that this will be a major step toward addressing that textbook shortage issue that brought this topic to the table. He stated that he has given the Board a breakdown of the amount of money that would go to each school. He stated that it may be said that there is a lot of disparity there, and the reason for that is that each school improvement team has been making the decision about whether to buy textbooks or other material, so there are some schools who need more textbooks and some schools who need fewer textbooks. He stated that the actual number when they did their survey of their schools was \$290,051.88, but they pared that down to the \$250,000 that was mentioned at the last meeting. Dr. Eaddy stated that he didn't know how much information the Board would actually want, but he has copies of the actual purchase orders for the books. He stated that they will be buying textbooks in the four core curriculum areas, math, science, social studies, and communications skills, as well as a number of the elective areas in the high schools. He stated that each school will have a different set of titles, depending on where they needed those expenditures.

Commissioner Waters stated that he has heard some people say that we may lose some money for the low wealth counties. He asked if the Board funds this if this will affect one way or another.

Dr. Eaddy stated that with the low wealth fund, you become eligible for a certain amount and then based on the amount of the county puts into the school district versus its ability to pay, you draw that percent of 100% of what you're eligible for. He stated that right now they draw 67%.

Commissioner Waters asked if the Board puts this money in if it will get credit, and if that will help us get more money.

Dr. Eaddy stated that if this goes in as an appropriation, it would help us on that side, because it would increase the county's contribution to the school district's current expense.

Commissioner Brotherton asked if a correct interpretation would be that in the elementary schools there are more textbooks in the classrooms there than in any schools in Lincoln County, based on the request.

Dr. Eaddy stated that there is more need, based on their request, because they have been selecting alternate instructional materials.

Commissioner Brotherton stated that they are only requesting \$1300.

Dr. Eaddy stated that he misinterpreted the question. He stated that this is correct, they have more books and need to buy fewer textbooks than the middle schools and high schools.

Commissioner Brotherton asked if this means that the committee down there has in the past been selecting the purchase of textbooks over other materials that are available.

Dr. Eaddy stated that not necessarily in every case, but in some cases obviously. He stated that at the middle and high schools, the textbooks cost more. He stated that they are of a more sophisticated nature and you have the sciences that are very expensive, and you start getting into your vocational and occupational courses. He stated that some of those are not numbers of books, but more the cost of the books. He stated that he thinks Physics books are \$72 each.

Commissioner Gamble stated that he would like to offer a piece of trivia. He stated that he has a friend who teaches, and is an expert in reading. Commissioner Gamble stated that he teaches in Florida, and teaches as a professor at the University of Florida, and comes to North Carolina and South Carolina and everywhere as a consultant. He stated that his friend says he gets about ten times more money for writing his books and acting as consultant than he does teaching. He stated that writing of books is a great thing for teachers.

Chairman Hallman asked Mr. Kiser how this could be handled to assure that textbooks are purchased, if it could be handled on payment per invoice.

Dr. Eaddy stated that he can leave a copy of the purchase orders tonight, and will just have the invoices sent to Stan when they come.

Commissioner Gamble asked if we buy these textbooks in year one, and they are all recyclable, and they come back into the same schools, if you buy them the second year.

Dr. Eaddy stated that no, the books will be reissued each year for about five to seven years. He stated that they are adding about 300 students per year, and will have a new adoption next year in mathematics, and all the math books will be replaced.

Chairman Hallman stated that this will essentially be a shot in the arm to get books in everybody's hands and then on subsequent years they can keep reissuing these and adding the normal additions to it.

Dr. Eaddy stated that it certainly will make managing this situation a whole lot easier. He stated that this is not a small investment in materials, and it's also probably not a purchase as the Board thinks, even though it's \$250,000. He stated that he was surprised at how few books that buys.

Commissioner Brotherton asked at what point these books will be in the hands of students.

Dr. Eaddy stated that most of them he would say 3 to 5 weeks.

Steve Zickefoose stated that it would probably be 4 to 6 weeks.

Commissioner Brotherton stated that no textbooks is the biggest complaint that he hears from parents.

Chairman Hallman stated that he's heard it too. He stated that you have to look out after the little children.

Commissioner Gamble stated that he doesn't think there would be this recurring \$250,000 every year, so they might as well acknowledge that now that the county won't fact that every year.

Dr. Eaddy stated that they get \$49 per child for books.

Commissioner Gamble told Dr. Eaddy to be careful, Mr. Gore.

Commissioner Brotherton asked if Dr. Gamble is allowed a political statement if he's allowed one also.

**A MOTION** by Commissioner Gamble to proceed with the textbook purchase as discussed.

Commissioner Brotherton stated that he sat here silent, because he didn't want to make the motion. He stated that he wanted to give the other Commissioners a chance to become education Commissioners since he made the original promotion.

**VOTE:** Unanimously approved.

**Franchise Agreement for Charter Communications – Landon Barefoot:** Stan Kiser, County Manager, stated that Landon Barefoot, the Director of Operations for Charter Communications for central North Carolina is here to be able to answer any questions.

Landon Barefoot stated that the Board has in their packets a proposed renewal of the franchise for Lincoln County. He stated that they have submitted this. Mr. Barefoot stated that to give a little background information, in October of 1996, Charter Communications bought the cable franchise properties here in Lincoln County. He stated that in approximately July of 1998, Paul G. Allen, co-founder of Microsoft, purchased all of Charter Communications in whole. He stated that since that time, they have been quite busy. They are about 95% completed with an upgrade in Lincoln County, the remaining area to be upgraded is the Vale area and that is currently being worked on and their plan is to have that area completed within the first quarter of 2001. He stated that they have done many things with this upgrade in the past year and a half, one of the things is that it has brought cutting edge technology to Lincoln County. He stated that this technology is second to none, not only in the state, but in the country, the type of communications systems that typically you only see in the larger communities, such as New York, Atlanta, or Los Angeles. He asked what this means for Lincoln County, fiber optic coaxial cable, served by nodes means that there will be less outages, when there's cable problems, it takes less time to repair it, because of being able to minimize the troubleshooting time. He stated that on the expanded basic service, as they upgraded, they upgraded to a 750 megahertz system, which allows channel capacity increase, and they have increased the channels offered on the expanded basic service. The basic and expanded was approximately 43 channels, and with the addition of the additional two channels that will be offered November 1, they'll be to 77 channels on basic and expanded. He stated that in addition to this, they have also deployed their Charter Digital Cable, which gives customers a choice of up to 140 digital channels, which include that of digital music, digital pay-per-view, digital premium plexing, as well as additional digital basic services, in which they are packaged and they can pick and choose which package best fits them. Mr. Barefoot stated that in addition to that they have also deployed their Charter Pipeline service, which is their high-speed cable modem access. He stated that this is a service that allows residents within their home to access the internet at high speed without a second telephone line at speeds of fifty times faster than dial-up, this eliminates busy service, it's an always-on service, so it's a matter of just clicking the browser and being able to have access to the wide world web. He stated that this is basically the beginning of new services they have planned for this area with other services to come. He stated that they are very proud of what they have accomplished in the four short years they have owned the franchise area, and what they have been able to accomplish in that amount of time. He stated that they look forward to continuing their relationship with Lincoln County, providing quality telecommunication services and broad band services with future services to come. He stated that he would definitely like to get the address of the facility that Chairman Hallman was talking about in the Board of Variance and Appeals meeting, because he is not aware of a facility like that.

Chairman Hallman stated that all you have to do is go west on Highway 27 until you see the junkiest place on the road and that will be it.

Mr. Barefoot stated that he is not aware that they own property there, but he assured Chairman Hallman that if they do it will be quickly remedied.

Chairman Hallman stated that he has a couple questions for Mr. Barefoot. He asked when the renewal is required and what time frame this covers.

Mr. Barefoot stated that they are in the renewal window right now.

Chairman Hallman stated that he has a couple specific questions that Mr. Barefoot may or may not be able to answer. He stated that Mr. Barefoot says that Charter Communications is currently the fourth largest cable operator in the United States, he asked if this was correct.

Mr. Barefoot stated that this is correct according to the latest calculations that is correct.

Chairman Hallman stated that the Board has been told that Charter can set essentially whatever rate they want to because they are a small company, "a small operator". He asked if this is the approach that they set their billing on, that they're a small operator.

Mr. Barefoot stated that absolutely not. He asked where Mr. Hallman got his information.

Chairman Hallman stated that it came from Centralina Council of Government from Ms. Albright.

Mr. Barefoot stated that the recent rate adjustment is on expanded basic, which is non regulated, and would like to mention that on that, with that level of service, that expanded tier service, since February of this year, they have added 10 additional channels to that service, which represents a 26% increase in satellite programming. He stated that since their upgrade has been completed, they have added 34 channels to that.

Chairman Hallman stated that that brings up an interesting point. He stated that in the contract Charter speaks of principal of fairness, equal accessibility, channel studios, other services, to all it's citizens. He asked if all it's citizens means part of the county of all of the county.

Mr. Barefoot stated that it means all of the county that is within the feasibility requirements within the contract. He stated that if you look at the existing contract versus the proposed contract, and the contract of old the density requirements were 60 homes per mile and they are certainly building at a much less density than that.

Chairman Hallman stated that Commissioner Gamble can't get service because he lives through the woods off the highway where the cable passes.

Commissioner Gamble stated that it's about 225 feet from the cable line.

Mr. Barefoot stated that they would certainly be glad to do a survey on any and all.

Commissioner Gamble stated that all you can get is a sassy answer from Mr. Barefoot's office.

Mr. Barefoot stated that if Commissioner Gamble would give him his address, he'd be glad to look into that.

Chairman Hallman stated that what he's speaking of is not necessarily all citizens, because they recognize that not all citizens meet the criteria for extending lines, which are set out. He asked if that means all citizens or all customers. He asked if Mr. Barefoot provides equal accessibility to channels, equipment, studios, and other services to all customers.

Mr. Barefoot stated that during the upgrade period, in which they are still upgrading their services, you have a choice when you do an upgrade especially when you use fiber and nodes, you can either wait until the entire plant is upgraded and flip the switch, so everybody receives the service at once, therefore making those that could have received service earlier wait on the construction. He stated that you also have the choice to try to provide the service just as quickly to as many people as early as you possibly can. He stated that this is simply what they did, they prioritized the upgrading schedule. He stated that regardless of what you do, there's always going to be someone's who's first that's ecstatic, and there's going to be somebody that's last that's not so ecstatic. Mr. Barefoot stated that what you try to do is minimize that by using good judgement, beginning with the most dense areas and working out. He stated that to answer the question, when they finish the same service will be provided to all their customers.

Chairman Hallman stated that he's been around here for a good while and for probably six or eight years, there has been local broadcast, where you have community service, political ads people can buy, rotary auctions.

Mr. Barefoot stated that Charter has only owned it for four years.

Chairman Hallman stated that it was in place prior to Charter owning it. He stated that it has been eight or ten years perhaps. Chairman Hallman asked if it would surprise Mr. Barefoot to know that people west of Lincolnton still don't have that service.

Mr. Barefoot stated that it would not surprise him, because the architecture was not such that it could be offered. He stated that at the end of this upgrade that he's speaking of that will be available.

Chairman Hallman stated that the people in the west end of the county have been paying the same rate as the people in the east end of the county.

Mr. Barefoot stated that this is absolutely not true.

Chairman Hallman asked how much they pay in the east end of the county for expanded basic.

Mr. Barefoot stated that he would have to look, but it's several dollars less.

Chairman Hallman asked if they pay several dollars less down there.

Mr. Barefoot stated that in the Vale area they pay less at this time, because they have not upgraded that area at this time.

Chairman Hallman asked what the current rate for expanded basic is.

Mr. Barefoot stated that the combined rate is \$11.95 for basic, which everyone would have to have, the expanded basic is \$23.00, which is going to \$25.95.

Chairman Hallman stated that the total comes to \$34.95, plus you add a little tax, franchise fees, etc. He asked Mr. Barefoot if he is saying that the people in the west end of the county are not paying that much.

Mr. Barefoot stated that this is correct.

Chairman Hallman presented Mr. Barefoot a copy of his checks for his cable bill. He asked if Mr. Barefoot could see if there has been an increase.

Mr. Barefoot stated that without seeing his statement, he really cannot speak to what these charges are for.

Chairman Hallman asked if Mr. Barefoot sees an increase in the numbers on his checks.

Mr. Barefoot stated that he does.

Chairman Hallman asked if Mr. Barefoot is telling him that he's getting something on his television that he doesn't know what he's getting.

Mr. Barefoot stated that it's possible, he doesn't know where Mr. Hallman lives.

Mr. Hallman stated that he lives in the Vale area.

Mr. Barefoot stated that he can tell Mr. Hallman that if he were in the Vale franchise area, he doesn't know whether he is in the billing system incorrectly for some reason, but the people in the Vale area's rates are not billed at the same rate as the rest of the county, because they have not taken the rate adjustment. He stated that the adjustment will be taken and adjusted to the same as the others once those services are increased.

Chairman Hallman stated the he has a problem, and the problem is this, and he has checked on the billing. He stated that every time there has been a rate increase, now down east, and he hates to pick on down east, because they are part of the county too, but it seems like every time there is an increase and an improvement of service, the east gets it first, the west gets billed and they have to wait two to three years to get the service. He

stated that according to this contract, that is not equal accessibility of channels to all citizens. He asked why they don't start at the west end one time and go that way, or at least every other time they upgrade.

Mr. Barefoot stated that it has not been upgraded in the 15 years.

Chairman Hallman stated that he's been on this Board for the past 8 years, and he knows they come just like clockwork every year, saying they are going to give a little more and going to charge a little more.

Mr. Barefoot stated that when he's saying upgrade, he's talking about a complete system upgrade, not channel additions. He stated that he can tell Mr. Hallman, he cannot change anything that happened prior to Charter owning this, but he can tell Mr. Hallman that they've done a heck of a lot in the past four years and he can also assure him that when the upgrade is complete, by the end of the first quarter that what he sees in Vale will be the very same thing he sees in Denver and that from that point forward when any additions are done, they will be seen in both areas at the same time. He stated that the architecture was not in place to do that before, but they have remedied that.

Chairman Hallman suggested that Mr. Barefoot review Lincoln County's billing practices, and people that have not been getting the service that is given to some of the citizens, that consideration be given to the overpayment of bills and given a credit on their bill to compensate for it.

Mr. Barefoot stated that he will be glad, if any citizen, he will have his staff and if anyone calls and lets them know that they have not received the upgraded areas, they will be glad.

Chairman Hallman stated that Mr. Barefoot's people know what areas have been upgraded and the computers know what he's billing.

Mr. Barefoot stated that they know from what the franchise tax area, and unfortunately you can upgrade by franchise tax area. He stated that you upgrade what is technologically the boundaries within a node. He stated that it is possible that someone's crossed over.

Chairman Hallman stated that he thinks essentially what Mr. Barefoot's telling him is that he doesn't necessarily know what service people are getting in relationship to the bill for that service.

Mr. Barefoot stated that he hopes that they know fairly closely, but he is not absolutely sure. He stated that he can tell Mr. Hallman that they have done it with the intention of being as fair as they possibly can, and he thinks that's all any of us can do, is try to be as fair as we possibly can.

Chairman Hallman stated that he doesn't think that Charter should put the burden on the users to try to figure out what their billing strategy is and the service they get, because

some people just know they get a bill and go pay the bill if they want to keep service, or otherwise Charter disconnects it.

Mr. Barefoot stated that it's correct that if they don't pay they'll be disconnected.

Chairman Hallman stated that this thing has been a burr under his saddle for a several years.

Commissioner Waters stated that this is not the place to have this conversation and that's the problem with all this.

Chairman Hallman stated that the only thing that bothers him is that the people in the west end of the county have been treated like second class citizens and he is not on this Board but for two more meeting after tonight, and just wanted to get it off his chest, and Mr. Barefoot just happened to be the unlucky fellow that happened to be here.

Mr. Barefoot stated that he can assure Mr. Hallman that under his watch, that is changing.

Chairman Hallman stated that he expects to see it change.

Commissioner Brotherton stated that he doesn't see why anybody would want to mess with cable anyway when they have the option of getting a satellite dish.

Chairman Hallman stated that that's certainly been under consideration at his house.

Mr. Barefoot stated that he kind of wonders why he would hear that from a County Commissioner, when in partnership they have come and invested \$60 million dollars in this area. He stated that they have brought in cutting edge technology that is not available to all areas like Lincoln County, and when they give Lincoln County 5%, at this point 3% of every dollar they take in goes to franchise fees. He stated that they also give free service to all the schools at no cost, there's not a telephone company, there's not anyone else that does that. He stated that they give it to government buildings and have committed to give high-speed access service to that, and they have done the Rotary Club auction, which has raised over \$150,000 for education here within Lincoln County. He stated that he dare say that there is a satellite company that has invested anything in Lincoln County. Mr. Barefoot stated that Charter Communications has, they will, and are proud of it. He stated that they are proud of the service they provided and will continue to provide.

Chairman Hallman stated that the only thing he would say is that he's been on the system and has not missed a payment since they first strung the wire up, but feels he has been treated unfairly compared to the people that live across the river and east.

Mr. Barefoot stated that Charter Communications has done everything within their powers to remedy that as quickly as possible, that will be a mute point within the next few months.

Commissioner Waters stated that he hates to bring up another problem, but we do have one. He stated that some people don't feel that the public access channel is giving them much, because as far as he knows the only public service they've given us is the Rotary Auction once a year. He stated that if you look at counties around us, their County Commissioners meetings are on the public access channel.

Mr. Barefoot stated that they would be glad to air the County Commissioners meetings. He stated that they don't film any, they do not do that.

Commissioner Waters stated that they asked Charter to air some candidate forums, and know they can do it, because they do with the Rotary Auction, and got turned down flat.

Mr. Barefoot stated that they do not have the facilities in which to do that, they do underwrite that for the Rotary Clubs.

Commissioner Waters stated that they could have done the same thing for the candidate forums.

Mr. Barefoot stated that they could not do that and be fair, because they are not set up to that. He stated that they do the once a year auction, but they do not have mobile units, and if they did the candidate forums for Lincoln County, he would then be obligated to do them for all the counties, which they simply cannot do that, it would be very burdensome. He stated that they do not film any County Commissioners meetings, however should the county decide to buy a camera and have someone film those, as Gaston County and some surrounding counties do, they'll be glad to give air time and run those tapes.

Commissioner Waters stated that he is not going to debate this with Mr. Barefoot in this forum, but he will not understand until Mr. Barefoot explains it to him, and he'll give him the opportunity to outside here, how they can film live an auction, but not a candidate forum.

Mr. Barefoot stated that they could have done it had they chosen to go to that expense, and jump through those hoops, but they don't have the facility to do that.

Commissioner Waters stated that he knows the answer now, they just didn't feel like doing it.

Mr. Barefoot stated that they could have made it happen, but that is not something they typically do, nor could they do it for everyone else. He stated that therefore in fairness he could not do it for Lincoln County, and then go to the expense for Alexander County and everyone else that requested that. He stated that he is sorry that that did not meet Commissioner Waters expectations, but in fairness, they did what was fair.

Chairman Hallman stated that Mr. Barefoot brings up another point with this fairness thing. He stated that they have not been treating the west end of the county fairly, they can't even look at the Rotary Auction, and never have been able to.

Mr. Barefoot stated that he will be next year.

Commissioner Brotherton stated that in 1996 he bought advertising on the cable system, and the guy selling him the spots, political ads, and he had a heck of a time getting him to understand that what he was paying for was not covering all of Lincoln County. He stated that he didn't even have the knowledge that it was different in the west. He stated that he was selling advertising to all of the county and giving the impression that everyone in the county had access to that advertising, and it was not accurate.

Commissioner Brotherton stated that he used to have problems getting them to bury lines, but he finally found a number in St. Louis for the person who owned it, and when he needed a cable line buried he would call St. Louis. He stated that Mr. Skinner, who was the former manager here in town, would not even talk to him on the phone, because he said that he made him nervous.

Mr. Barefoot stated that if Commissioner Brotherton needs a cable line buried to let him know, he's not that nervous.

Commissioner Saine stated that she is looking at the Ordinance Granting a Franchise to Charter Communications, and can find no date on that. She stated that it says that this is a non-exclusive franchise for a period of 15 years, and Mr. Hallman has been on the Board for 8 years. She asked when the 15 years started and when it ends.

Mr. Barefoot stated that it's up now.

Stan Kiser stated that it has to be renewed by the end of this year.

Commissioner Waters asked if they are being asked to approve a 15 year contract.

Mr. Barefoot stated that this is a non-exclusive contract and it allows the Board to increase the franchise from the 3% to 5% if it so chooses. He stated that the density requirements have been lowered in the new contract, not because of the contract, but because it made good business sense, and they're now building at 20 to 25 homes per mile. He stated that they look forward to continuing their relationship and improving upon the history of the past owners, because he thinks they've made huge strides over the past four years.

Chairman Hallman asked Mr. Taylor if he has looked over this. He stated that from what he can gather from Sandra Montgomery, is that the Board needs to see a certain kind of communication council, to oversee the new franchise, unless Mr. Taylor feels capable of handling that.

Mr. Taylor stated that he is not one of the specialists in Communications laws that she referred to, by any means.

Mr. Taylor stated that one thing that is going to have to be done anyway, since this is a new Ordinance replacing an existing Ordinance, it's going to require a public hearing, and be voted on at two regular meetings if it's not voted on unanimously. He stated that if the Board would like to set a public hearing, he may be able to have some outside counsel on it by November 6.

Commissioner Gamble asked about piggybacking on the City's use of counsel.

**A MOTION** by Commissioner Gamble to set the Public Hearing for November 6, 2000 at 7:30 PM.

**VOTE:** Unanimously approved

**Resolution Providing for the Issuance of \$7,500,000 General Obligation School**

**Bonds:** Leon Harmon stated that in the packets there is a draft resolution from Brown & Wood. He stated that this is the Resolution Providing for the Issuance of \$7,500,000 General Obligation School Bonds, Series 2000 and is the first installment of the \$36 million that was approved in May for the school construction project, and should give them enough money for year or so. He stated that the schedule on this is to sell on October 24, with a closing date of November 14.

Commissioner Gamble asked if this money would be used to buy the school site these people want to talk about. He asked if the school site cannot be bought with an option first.

Dr. Eaddy stated that this \$7.5 million will go toward the construction of the new high school. He stated that they already have the property for that one. He stated that their first priority in the bond package was the construction of a new high school.

Commissioner Saine introduced the Resolution for the County of Lincoln, North Carolina, for \$7,500,000 General Obligation School Bonds, Series 2000.

(The Resolution is incorporated herein by reference and will be held on file.)

**A MOTION** by Commissioner Gamble to approve the Resolution , which was seconded by Commissioner Brotherton, to approve the Resolution Providing for the Issuance of \$7,500,000 General Obligation School Bonds, Series 2000.

**VOTE:** Unanimously approved.

**2001 Holiday Schedule:**

Stan Kiser, County Manager, presented the following holidays, which have been approved by the State.

New Year's Day	January 1, 2001	Monday
Good Friday	April 13, 2001	Friday

Memorial Day	May 28, 2001	Monday
Independence Day	July 4, 2001	Wednesday
Labor Day	September 3, 2001	Monday
Veteran's Day	November 12, 2001	Monday
Thanksgiving	November 22 & 23, 2001	Thursday & Friday
Christmas	Dec. 24, 25, & 26, 2001	Monday, Tuesday, and Wednesday

Mr. Kiser stated that the County generally follows the State and this will require Board approval.

Chairman Hallman stated that he has had a couple people mention that this year the Christmas schedule is only two days. He asked Mr. Kiser if this was correct.

Mr. Kiser stated that he believes this is correct and this is because of the way when Christmas falls. He stated that some years we have to add an additional day. He stated that if the Board recalls, two or three years ago, they added an additional day.

Chairman Hallman stated that the Board did two or three years ago because Mr. Craig brought it up, to come along with the State's proposal. He stated that the next year, it did not qualify, but employees were given a third day anyway, and this current year it got approved with only two days. He stated that some employees have taken note of this and mentioned it.

Commissioner Waters stated that we took an extra day anyway for the computer change over. He asked if that was in 1999. He stated that we took an extra day anyway.

Mr. Kiser stated that it was this year.

Emily Robinson, Personnel Assistant, stated that it was this year. She asked the Board if they change it to three days, what will they do if it falls on a Wednesday, give the whole week.

Commissioner Waters asked if there was a problem with the schedule like it is.

Chairman Hallman stated that he has just had a few people mention it to him.

Commissioner Waters stated that what he is asking is if it is a problem.

Commissioner Saine asked what day Christmas is on.

Chairman Hallman stated that Christmas is on a Monday.

Commissioner Waters stated that he'd say Tuesday for 2001.

Mr. Kiser stated that for whatever it's worth, he's never taken a vacation day around Christmas, but it's about as dead as it can be right before or right after Christmas.

Commissioner Saine stated that this gives the Board the option of the 24, 25, and 26.

Chairman Hallman stated that this is the 2001 schedule, and he's asking a question about the 2000 schedule. He stated that employees only have 2 days for 2000.

Mr. Kiser stated that it's currently Monday and Tuesday employees have off. He stated that the Board could give the additional Wednesday or the Friday before.

Commissioner Waters said they could also give nothing.

Commissioner Brotherton stated that it would sure be a wise political move, if you were running for office to add a day to the County employees Christmas.

Emily Robinson stated that the schedule that has been approved for 2000 goes along with the State, so if we're closed, we're going to have to open the courthouse on Friday for State employees.

Mr. Kiser stated that this is correct, we follow the State.

Commissioner Waters stated that if he were looking for the answer to that, the answer would be that we already spent that day, we took an extra day to change our computers over for Y2K.

Chairman Hallman stated that he thought we did that in 1999 to get ready for 2000.

Mr. Kiser stated that he thought that was at the end of the year, the 31<sup>st</sup>.

Commissioner Waters stated that all he is saying is that people who are asking about an extra day already got it.

Commissioner Brotherton asked if they got it in 1999 or 2000.

Chairman Hallman stated that he has his answer, they have already got it.

Commissioner Waters stated that he does not think he is wrong.

Chairman Hallman stated that we have some people interested in three days for Christmas, but we are getting three days next year for Christmas.

Chairman Hallman entertained a motion to approve the 2001 Holiday Schedule.

**A MOTION** by Commissioner Saine to approve the 2001 Schedule.

Commissioner Gamble stated that he doesn't like the day after Thanksgiving, everybody else goes to work the day after Thanksgiving holiday, but we don't.

Chairman Hallman asked Commissioner Gamble if he thinks employees ought to go back to work on the 23<sup>rd</sup>.

Commissioner Gamble stated that about everybody else that runs a business does. He stated that anyhow of course people want to come in and transact business at the Courthouse, and the Courthouse is closed. He stated that he just wants to say that for the record.

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

**Financing Agreement for Sherrill Property:** Jeff Taylor stated that he thought this item should be on the Board's agenda. He stated that the Board approved this at the September 18 meeting, and there was some discussion about paying for it over three years. He stated that they got into some further discussion about the financing and whether they wanted to pay it over three years or not. He stated that in the past the Board has expressed a desire in the past to avoid paying interest. Mr. Taylor stated that he had a conversation with Mr. Sherrill on Thursday about this issue, and Mr. Sherrill indicated that if the Commissioners wanted to go ahead and buy the property, and pay for it all at once, he would be willing to take some fraction, maybe 1/2 or 1/3 of the money right now or in the near future, assuming it is closed in the year 2000, and the remainder shortly after the first of the year. He stated that by doing that, it will be a tax saving mechanism on his part. He stated that Mr. Sherrill said that if it would be spread over a three year period, he would want to be paid interest at the going rate. He stated that the Board needs to have some discussion and decide how to go about paying for it, so they can prepare the appropriate documents.

Commissioner Gamble asked if the Board needed to go into closed session about it.

Jeff Taylor stated that it doesn't necessarily have to be closed session, it's a policy matter about spending the public's money so it should probably be in open session, unless the Board wants something negotiated. He stated that that if a Board member wants to talk with him about negotiating strategy on it, or give him comments to use confidentially, that would be appropriate for closed session.

Commissioner Brotherton stated that he thinks is needs be discussed in the public, and then everyone knows there's nothing that anyone's attempted to hide.

Commissioner Saine asked if Jeff Taylor's researched it to find out what the going rate is.

Mr. Taylor stated that that's a real fluid term. He stated that he thinks the 30 year mortgage rate right now is a little under 8%, based on what he saw in the Observer. He stated that if you base it on prime rate, prime is closer to 9%. He stated that Mr. Sherrill didn't seem picky about it, he just wanted some interest and something close to what would be a market rate.

Chairman Hallman stated that on a couple previous transactions the Board had, the feeling of the Board, in a couple instances, Commissioner Gamble felt like the best thing to do was to go ahead and do it outright, without incurring interest.

Commissioner Gamble stated that that's his idea.

Chairman Hallman stated that he thinks the owner is agreeable to taking 1/3 now and the balance after January 1, without incurring any interest expense, that would give time for collections during December. He stated that he thinks that would be an appropriate approach to take.

Commissioner Gamble stated that it suits him.

Commissioner Waters asked if the Chairman is telling him that the Board is now going to pay for the whole price of this outside the bonds.

Stan Kiser stated that Leon Harmon mentioned the idea that over selling course of the bonds and holding the money, we'll be earning interest on it. He asked Mr. Harmon the figure he thought the bonds would earn over the building project.

Mr. Harmon stated that it depends on the cash flow that the schools have, but it could earn well over a million dollars in interest, depending on the cash flow.

Mr. Kiser stated that we sell the bonds and hold the money until the construction is paid, and we could use the interest we receive off that money to pay the difference.

Commissioner Brotherton asked if they can still pay their bills for construction as they go along without any problems.

Mr. Harmon stated that it shouldn't be a problem. He stated that their cash flow that they incur between now and next spring would be when we schedule the next bond sale.

Chairman Hallman asked if the agreement that the Board arrived at was that the schools have a certain amount of money within their budget for the land acquisition and the Board will front them that and subsidize them the remainder.

Stan Kiser stated that the amount is \$497,000. He stated that he supposes if they didn't have the bond sold at that time, they could up that out of the general fund and then reimburse the general fund with interest earned over the bond proceeds that we hold.

Chairman Hallman stated that if he'll take 1/3 now and the balance after January 1, that gives a little time to operate with no interest incurred.

Stan Kiser asked Leon Harmon to handle that.

Mr. Harmon asked if this will be coming from the interest that will be earned on the bond proceeds.

Mr. Kiser asked Mr. Harmon if we didn't have the interest up front, if we could pay it out of the general fund with the understanding that the interest we earned from holding the bonds proceeds would reimburse the general fund for the \$497,000.

Mr. Harmon stated that we did a reimbursement resolution a couple months ago, where we can advance funds to be reimbursed from the bond proceeds or from interest from the bond proceeds. He stated that they will need to do a budget adjustment.

Commissioner Waters stated that if he's ever heard a plan that's badly planned and poorly executed, this one qualifies, because no one seems to know what we're doing. He stated that this is not what the Board voted on last time. He stated that what the Board's talking about now has nothing to do with what was voted on last time.

Commissioner Brotherton stated that he believes his motion last time was that we would purchase the property with up to three years payout, but that didn't exclude two payments within six months or whatever.

Commissioner Waters stated that the motion that passed was to put \$497,000 into the land and the rest would come out of the bond issue.

Mr. Kiser stated that the Board didn't state at that time where the \$497,000 would come from, so it can come from general fund or interest earned off the proceeds.

Commissioner Waters stated that those are one in the same thing, because if we didn't pay it out of the interest, we'd put that money in the general fund.

Commissioner Brotherton asked if the County Manager and Finance Director have a preference as to how it is handled.

Commissioner Waters stated that if the Board puts it off long enough, the people that actually have to live with it will get to make that decision.

Mr. Harmon stated that it was his understanding that anything to be bought through installment purchase would have to be purchased through the county, the schools didn't have the authority to go and do installment purchase contracts on land. He stated that he thinks that's why we bought the Pumpkin Center project and put it in the county's name, with the intent of eventually turning it over to the schools. He stated that he doesn't know if it matters that much if we pay it in installments or if it's paid up front. Mr. Harmon stated that what he was talking to Stan about, it looks like it would make more sense to use it from the bond proceeds or the interest from the bond proceeds. He stated that what we've done in the past is any interest earned from the bond proceeds they've allowed the schools to budget that for school projects, and we've used other designated sources to make the debt payments on those bonds. He stated that not every county does that, but that's the way it's done in Lincoln County. He stated that if the Board did that, it looks to him that there would be enough funds within the bonds or the interest earned from them could easily pay for the land.

Commissioner Gamble asked if a motion was needed tonight.

Mr. Harmon stated that his suggestion was if the Board is going to buy the property that it be purchased with the bond funds or the interest off the bond funds, since there haven't been bids on any of the projects yet. He stated that it would be to the county's advantage to put the money in at the end of the project rather than at the beginning of the construction program. He stated that one simple reason is arbitrage, they have to keep up with interest earned, and any excess earnings they have to rebate back to the federal government. He stated that on \$36 million they should earn more than the cost of the land if the Board decides to go on with it.

Commissioner Gamble stated that he thinks the Board is going to go on with it. He asked what the motion should be.

Commissioner Brotherton stated that it should say to pay all of it at closing or to pay 1/3 at closing and the balance after January 1.

Jeff Taylor stated that they could close within the next several days if the Board approves this.

**A MOTION** by Commissioner Gamble to appropriate money to finance the Sherrill property for 1/3 at closing and 2/3 shortly after January 1, 2001.

Commissioner Gamble stated that he hopes we didn't buy too many gullies in that motion.

Commissioner Waters stated that Commissioner Gamble ought to go look at the land.

Jeff Taylor stated that it probably should be included in the motion to appropriate the Chairman and Clerk to execute appropriate documents to effectuate that, because we'll probably need to do a short term note and installment finance agreement to provide for that second installment, to provide security on that.

Commissioner Gamble stated that he would like to add that wording to his motion.

Commissioner Waters stated that he still thinks the Board seems to be in an awful hurry to do something that is an ill conceived plan, the way the Board's carrying it out doesn't particularly excite him either. He stated that to him the Board's rushing into something and he doesn't think the alternatives were properly evaluated. He stated that there are several citizens, most of them in the eastern part of the county, where the school happens to be, that think this is a bad decision. Commissioner Waters stated that he just doesn't see what the hurry is, because the Board doesn't need to buy land now in order to start planning for this school sometime next year.

Commissioner Gamble withdrew his motion.

**A MOTION** by Commissioner Brotherton to appropriate money to purchase the Sherrill property (31.25 acres) for a total purchase price of \$625,000.00 to be paid 1/3 at closing and the balance within the month of January 2001, and to authorize the Chairman and the Clerk to execute appropriate documents to effectuate the transaction.

Commissioner Waters stated that he's wondering if Commissioner Brotherton is going to vote in this motion.

Commissioner Brotherton stated that he is.

Commissioner Gamble stated that he has to, Robert's Rules of Order say he has to vote for his own motion.

Commissioner Waters stated that he thought Commissioner Brotherton might have a personal interest in this.

Commissioner Brotherton stated that he does not, but will go back to a few years ago when a member of this Board set a precedence when you do have a personal interest in property when he voted to rezone his father's property. He stated that if he had one a precedence has been established, but he does not have any ownership in this land whatsoever.

Commissioner Waters stated that he wasn't suggesting that he was.

Chairman Hallman stated that he got an email from a gentleman in the eastern part of the county, that had made an allegation that he wanted clarified and he communicated with Mr. Brotherton, and Mr. Brotherton informed him that no, he did not have an interest in this property.

Commissioner Brotherton stated that this whole thing has been nothing but turned into a political issue by a couple people. He stated that when it's on an agenda at a political party meeting and another candidate for this Board's wife stands up and says it should be put off. He stated that this is the most political thing he has ever come across and it just amazes him how this has been turned political.

Commissioner Gamble stated that his old friend Harry Truman said "If you can't stand the heat."

Commissioner Brotherton said "get out of the kitchen", and he's still sitting here too.

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

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

Lincoln County Child Protection Team 1  
Nursing and Adult Care Home Community Advisory Committee 4  
Library Board – Ironton Township 1  
Region F Aging Advisory Committee 1  
Planning Board – Lincolnton 1  
(unexpired term ending 12/01)

**Appointments:**

Commissioner Saine presented the following appointments and reappointments as recommended by Erma Deen Hoyle.

Transportation Development Board

Reappointments:

Sheila Jarrett Drum	Leon Harmon	Thelma Lourimore
A Place to Grow	Lincoln County Finance	Lincoln County Group Home

New Appointments:

Carolyn Goodwin	Dianne Audette
Cooperative Extension Service	Lincoln Co. Health Dept.
Susan McCracken (or designee)	Erma Deen Hoyle
Lincoln Co. DSS	Lincoln Co. Senior Services

Deb Overcash (or designee)  
Salem Industries

Sharon Riggan	Dean Hastings
Employment Sec. Commission	Specialized Transport

**A MOTION** by Commissioner Gamble to approve the appointments and reappointments to the Transportation Development Board.

**VOTE:** Unanimously approved.

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

**Calendar:** Chairman Hallman presented the Board's calendar for the month of November.

Mr. Kiser stated that the Hospital Board meeting is scheduled for November 22.

Chairman Hallman stated that it will probably be on the 29<sup>th</sup>.

Mr. Kiser stated that he wondered if they would change it due to Thanksgiving.

Commissioner Gamble stated that you don't know whether the carpetbaggers honor southern Thanksgiving.

**County Commissioners' Report:**

Chairman Hallman stated that he has a letter that Elizabeth Sherrill wrote congratulating Darrell Harkey for receiving a prestigious Paul Gehew Barringer Jr. and Sr. Achievement Award. He read this letter.

Commissioner Brotherton stated that he was talking to the Clerk, who told him that the agreement for the \$250,000 has arrived from Raleigh. He stated that everything is set for the groundbreaking next Sunday.

Commissioner Waters stated that he has been approached by a group of EMS people. He stated that they were complaining about their overtime.

Stan Kiser stated that he regrets that Mike Jackson and Emily Robinson left.

Commissioner Waters stated that they were complaining about their overtime, and the way that they explained it to him was that at the start of the year, in the budget, we were paying them at a certain rate of overtime and changed it recently so that somebody might work 36 hours and get paid the equivalent of \$5 per hour for it.

Mr. Kiser stated that someone in EMS complained to the Department of Labor that the county wasn't doing correctly by our overtime. They checked into it and one of the things that they found out, the county wasn't quite doing it correctly, we were paying them too much, so we have corrected it, and they are getting a little less every two week pay period because of that.

Commissioner Waters asked Mr. Kiser how the Department of Labor determines what we pay our EMS people.

Mr. Kiser stated that with EMS, you get into a very complex system of payment. He stated that he has been over it once with Mark Knuckles, but not dealing with it every week or every pay period, you just don't retain enough from it. He stated that he thinks Mike Jackson or Emily Robinson could speak to it and address it more clearly. He stated that he asked Jeff Taylor why it worked that way one time, and his answer was because Congress says it does.

Jeff Taylor stated that this is a special regulation that applies to emergency workers that's called a fluctuating work week.

Commissioner Waters asked if Mr. Kiser is saying that every county in the state pays the same way we do.

Mr. Kiser stated that if they run a 24 hour shift they do. He stated that Wake County EMS workers filed a suit against the county, and the county won.

Jeff Taylor stated that our system is modeled after Wake County's and Mark Knuckles says we're ok.

Commissioner Waters stated that his concern is not what is legally right, he's still concerned about taking people who are very valuable to us and taking pay away from them, and possibly losing people, when we could have left it like it was.

Mr. Kiser stated that from what he was told, it did not amount to that much, it was entered in the computer wrong, so it calculated wrong.

Commissioner Waters asked if we can't pay more than that. He stated that he doesn't understand why we took something away from somebody.

Mr. Kiser stated that the mistake was made, because it was entered into the computer wrong, therefore we were overpaying them based on their annual salary. He stated that therefore, when they went back in and corrected it, it lowered their two week pay.

Commissioner Waters stated that to him, we still took something away from them.

Mr. Kiser stated that we didn't take anything away from them. He stated that for the first year of EMS, we were giving them more than we were supposed to be giving them.

Commissioner Waters stated that we can give them anything we want to as long as it meets the law, we can exceed the law, we don't have to cut them back to the law, we're allowed to pay them more than the law allows. He stated that it's like minimum wage, just because it's \$5.25 doesn't mean that nobody makes over \$5.25.

Commissioner Gamble asked who Stan shows those letters to when he gets a letter from the Department of Labor.

Mr. Kiser stated that he didn't even see a copy of it, it went to Personnel.

Commissioner Waters asked Mr. Kiser if he feels this did anything to morale at EMS, because that's what he was lead to believe.

Mr. Kiser stated that he doesn't know, but we didn't require them to pay any of the overpayment back.

Commissioner Waters stated that we were paying them what we agreed to pay them, we weren't overpaying them.

Chairman Hallman asked how many employees this affects.

Mr. Kiser stated that the thinks there are 30 full time employees.

Commissioner Saine stated that from what she understands, we were not paying them what we agreed to pay them under their job scale, we were paying them more than.

Commissioner Waters stated that he thought the Board would have at least been informed of something of this magnitude. He stated that we're making a joke out of the budget process. He stated that the Board gets told a lot of things they don't want to know about personnel, and it seems to him that some of the things he's talking about, you hear mumblings around about transfers and merit raises that don't follow our ordinance, but we don't see any of that either.

### **County Manager's Report:**

Stan Kiser, County Manager, stated that the state came to him and wants to make an improvement on State Road 1396, which is Killian Farm Road, which is to pave it. He stated that this is a secondary road and they need a 60' right of way. He stated that this needs to be approved by the Board contingent on approval from the Clean Water Management Trust and the North Carolina Forest Service.

**UPON MOTION** by Commissioner Gamble, the Board voted unanimously to approve such right of way for SR 1396, contingent upon the approval from the Clean Water Management Trust and the North Carolina Forest Service.

**Finance Officer's Report:** Leon Harmon stated that the budget performance report is included. He stated that the main highlight he's like to point out is that the first quarter of the year the general fund revenues are at 27% and expenses at 21%. The main reason for that is the August tax collection that we distribute in September was \$6.8 million, one of the largest months of the year, the other one is December. The Capital Reserve is at 17% of the revenues, the Emergency Telephone is at 32%, the Water Fund's looking good at 25% of revenues and 9% of expenses. The East Lincoln Sewer District's revenues are at 30% and expenses at 17%, and the landfill is at 37%, tipping fee at 37%, availability fee at 40%. The expenses are only at 7% so far.

**Hospital Report:** Commissioner Gamble stated that he understands there is a letter from a lawyer firm that says if and whenever the hospital is taken back over by the county, that the debt that is outstanding to the bank would be non-collectable by them.

Jeff Taylor stated that that's been reported to the Board before, so he can explain that. He stated that what Dr. Gamble is referring to is that at the time loan arrangements were

being made on the expansion of the hospital in 1996, there was some discussion about whether the right of reversion in the General Statutes and in the transfer agreement would be affected in any way by the security interest that Nations Bank would have on the property. He stated that they wanted to have a first lien on the property, just like any mortgage lender would, and the right to foreclose in the event of a default. He stated that there was some conversation at that time about He stated that there was some conversation at that time about whether that would be enforceable. He stated that it's in the minutes of the meetings of 1996, Mr. Pendleton raised that issue with the Board, and the Board asked him to seek outside counsel with that from Womble Carslyle, which is a firm that advises us on some other things. Mr. Taylor stated that at the next meeting, he reported back that we had received a letter from Womble Carslyle, reporting that that firm did not think the Commissioners had the authority to waive the statutory right of reverter the bank was asking the Board to do at that time. He stated that some qualifying language was inserted in the documents, the phrase "to the extent permitted by applicable law" was put in and the Commissioners approved it. He stated that he would correct Dr. Gamble's statement by saying that we don't that we could take the property back free of the debt, but it's certainly a possibility.

Commissioner Gamble stated that his information came straight out of Raleigh.

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