

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, NOVEMBER 20, 2000**

The Lincoln County Board of County Commissioners met in regular session on November 20, 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:

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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. Ron Haithcock, Long Shoals Wesleyan Church, gave the Invocation.

## Pledge of Allegiance

**Adoption of Agenda:** UPON MOTION by Commissioner Waters, the Board voted unanimously to adopt the agenda, adding 18a – Closed Session.

## AGENDA

# **LINCOLN COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 20, 2000**

## 5:30 PM Call to Order

5:30 PM Pledge of Allegiance

1. 5:30 PM Adoption of Agenda

2. 5:30 PM Consent Agenda

- Tax Requests for Releases
  - Less than \$100 – September 16 – October 15, 2000
  - More than \$100 – September 16 – October 15, 2000
- Tax Requests for Refunds
  - Less than \$100 – September 16 – October 15, 2000
  - More than \$100 – September 16 – October 15, 2000
- Budget Adjustments 27 – 45
- Water Customers Requesting Adjustment
- Water Customers Requesting Late Pay Penalty Removal
- Waived Fees for Center Usage
  - Rotary Club Auction
- Sponsored Group Status
  - Metrolina Kidney Center
- Letter of Credit – Oxford Hunt Subdivision – Phase 2

3. 5:35 PM Public Comments

4. 5:50 PM Position Reclassification – Erma Deen Hoyle

5. 5:55 PM Agreement Concerning Water Supply By and Between the City of Lincolnton and the County of Lincoln to Sell and/or Exchange Water Into the Respective Systems

6. 6:00 PM Public Hearing for Proposed Industrial Development  
Incentive Grant for Robb & Stuckey

7. 6:15 PM Public Comments on Proposed Work First “Families First” Development Plan

8. 6:30 PM Public Hearing on Proposed Amendments to the Lincoln County Animal Control Ordinance

9. 6:45 PM Final Plat Approval for Parallel Conditional Use Rezoning  
No. 15 – Riverside Walk Apartments

10. 7:00 PM At this time, the Board of Commissioners will recess the November 20, 2000 meeting and open the November 20, 2000 Board of Variance and Appeals Meeting.

11. 8:00 PM Set an East Lincoln County Water and Sewer District Meeting for December 18, 2000

12. 8:05 PM Vacancies

13. 8:10 PM Appointments

14. 8:15 PM Calendar

15. 8:20 PM County Commissioners' Report

16. 8:30 PM County Manager's Report

17. 8:40 PM County Finance Officer's Report

18. 8:50 PM Hospital Report

19. 9:00 PM Other Business

Adjourn

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

RELEASES FOR SEPTEMBER 16<sup>TH</sup> THRU OCTOBER 15<sup>TH</sup>, 2000  
LESS THAN \$100

NAME	YEAR	A/C NO	AMOUNT
Aldridge, Frank Burton	1999/00	00136	\$5.07
Anderson Properties Inc.	2000	0063666	\$1.07
Arey Oil Co. Inc. #113	2000	24287	\$37.32
Boston, Donald D.	2000	37603	\$1.85
Brown, Cecil Leon	2000	0127004	\$69.00
David Company The	2000	0132523	\$40.13
Dellinger, Todd	2000	0142096	\$45.32
Ferrell, William B.	2000	0104023	\$20.19
Fletcher, Darryl Lynn	2000	0068793	\$8.39
Gregory, Kenneth M.	2000	07955	\$30.00
Harris, Bobby Neal	2000	14175	\$69.00
Joiner, Randy	2000	0143120	\$81.21
Kincaid, Clarence E. Heirs of	2000	18426	\$33.98
Richard, Tommy Houston	2000	0124675	\$66.72
Robinson, W. F. Distributing Co.	2000	0133212	\$61.60
Rudisill, Terry Wayne	2000	0129011	\$83.34
Smith, Hadden E.	2000	10177	\$69.00
WGM Safety Corp.	2000	0072788	\$7.17
Woods, Dana Elisa	2000	22038	\$22.28
Yuhasz, Jessie D.	2000	15933	\$69.00
		TOTAL	\$821.64

MORE THAN \$100

NAME	YEAR	A/C NO	AMOUNT
Country Corner	2000	0133019	\$123.20

Gates at Waterside Crossing	2000	0135471	\$885.16
GE Capital Colonial Pacific	2000	0136003	\$304.53
Heartland Business Credit	2000	0144140	\$219.25
Hospital Resource Home	1999/00	0133081	\$251.35
Linco, Inc.	2000	0127646	\$430.35
MB Kahn Construction Co.	2000	0133140	\$202.40
McDaniel, Ollie Eugene	2000	0068901	\$327.52
McSwain, Sharon	2000	0138269	\$260.58
Piedmont Health Systems	2000	0133222	\$548.22
Reynolds, Ward D.	1999/00	36278	\$137.85
Rikard, Delbert & Carolyn	2000	09430	\$291.09
Town Square Ford Inc.	2000	26156	\$1,813.59
Waterside Crossing Town	2000	0133722	\$1,637.37
		TOTAL	\$7,432.46

#### LESS THAN \$100

NAME	YEAR	A/C NO	AMOUNT
Abbott, Glenn K.	1999	0126072	\$16.20
Akers, Paul Carroll	2000	0099358	\$12.22
Anderson, Eugene Christian	2000	0145060	\$33.11
Arruda, Steven Charles	2000	0095957	\$19.03
Baker, Marcus Franklin	2000	02211	\$7.23
Baxter, James Elliott	2000	0077414	\$5.98
Beatty, Richard Lavor	2000	0145653	\$12.76
Belton, Kimberly Camille	2000	37637	\$16.86
Black, Hilda Rainey	2000	0146444	\$17.37
Boggs, Geoge Jr.	2000	0095437	\$16.33
Boyles, William Joel & Janet	2000	12773	\$4.57
Brooks, John Lee	2000	0074589	\$29.12
Brown, Debbie Rose	2000	0069106	\$36.77
Bunn, Gary A.	2000	49397	\$23.73
Bynum, Cliff	2000	31140	\$12.48
Caldwell, Macfie Anderson	2000	28758	\$65.05
Cantrell, Lawrence	1999	0138036	\$19.41
Cardwell, Deborah Ollis	2000	0092697	\$6.29
Carolina Cross Connection	2000	0074605	\$61.36
Catlin, Gene Frank	2000	0107552	\$45.32
Coleman, Mearving Lee	2000	0129204	\$10.79
Crisson, Angers Denby	2000	0087419	\$50.61
Crisson, Brian Wesley	2000	0112366	\$36.83
Crouse, Gary D.	1999/00	12528	\$18.86
Dudley, Richard A.	2000	05907	\$16.11
Edwards Pipeline Co. Inc.	2000	37060	\$20.44
Enterprise Leasing Co.	1998	0117297	\$99.00
Estep, Totie Lee	2000	0136243	\$46.92
Ferrulli, Julie Dawn	2000	0145010	\$20.10
Finley, James A.	2000	17124	\$5.93
Flynn, Norman Nowell	2000	0097874	\$74.69
Fowler, James Aubrey	2000	0094433	\$20.63
Fredell, Shannon Goodman	2000	0136348	\$13.66
Funderburk, Sabrina Michelle	2000	0144573	\$4.81
Furrow, James Albert Jr.	2000	0096482	\$71.82
Galloway, Heidi Renee	2000	0140775	\$65.33
Gantt, Malcolm Walter	2000	0063876	\$17.12
Gilbert, Robbie Carol	2000	0066450	\$20.00
Gragg, Paul Filloyd Jr.	2000	0140956	\$63.40

Hank Parker Productions LLC	2000	0101383	\$97.25
Hartzog, Ray C. Jr.	2000	0119176	\$18.78
Haynes, Ray E.	2000	38156	\$10.15
Haynes, Robert Lee Jr.	2000	0079428	\$31.02
Heglar, Rhett Mims	2000	0114537	\$29.48
Hill, Jennifer Hope	2000	0142857	\$64.03
Hoffman, Roberta Jean	2000	0073596	\$18.22
Hollar, Robin Dennis	1999	0093604	\$6.31
Honaker, Homer Lee Sr.	2000	34960	\$47.18
Horton, Steven John	2000	0129938	\$31.86
Hosack, Marcella Marjory	2000	0139070	\$52.76
Hoyle, Benny S.	2000	0126801	\$19.31
Hull, David L.	2000	01425	\$45.06
Hull, Michael Warren	2000	0146511	\$9.00
Ingle, Billy L.	2000	0060811	\$22.79
Ingle, Terri Ann	2000	0145595	\$44.00
Johnson, Lucille R.	2000	27774	\$11.81
Johnson, Tomme Nicole	2000	0146296	\$8.58
Jones, Barbara Sherrill	2000	0124623	\$34.62
Killian, Mark Allen	2000	0137967	\$10.71
Kilpatrick, Richard Shawn	2000	42125	\$18.01
Lackey, Gary Sherwood	2000	0078328	\$20.43
Lawrence, William R.	2000	0135385	\$90.14
Levine, Marvin	2000	0070527	\$53.59
Littlejohn, Adrienne Louise	2000	0144419	\$28.05
Lutz, Otto	2000	10969	\$15.91
Mahlau, Robert Vincent	1999	0086458	\$62.63
Martin, Wesley	2000	0108011	\$4.92
Mason, Shana Danielle	1999	0132664	\$52.70
McCullen, Teresa White	2000	0071602	\$19.95
McCurry, Dennis R.	2000	0131176	\$69.25
McDonald, James Arnold	2000	0068839	\$63.00
McLean, Lewis Samuel Jr.	1999	0117341	\$36.63
Mehrlich, James Michael	2000	0106362	\$29.43
Miller, Joyce Lorraine	2000	0146312	\$77.15
Montgomery, Carl Douglas	2000	0146359	\$6.22
Moody, Gary W.	1999	0128214	\$48.05
Morse, Terry W.	2000	0144931	\$74.26
Nelson, Dawn Hill	2000	0145905	\$8.75
Northmore, Sean I. R.	1999	0109779	\$13.24
Ostrow, Elizabeth Miller	2000	0071212	\$41.64
Parker, Paul Edward	2000	0066156	\$66.18
Pfister, Eugene H.	2000	0126813	\$16.42
Phifer, Jean L.	2000	20087	\$84.62
Plummer, William Ray	1999	0085769	\$7.47
Pope, Roy Lee	2000	0064204	\$6.78
Poston, Dennis K.	2000	45749	\$57.27
Price, Pamela Coker	2000	0097999	\$29.56
Remines, Fred Cecil	2000	0075200	\$40.10
Reynolds, John Wayne	2000	14631	\$8.82
Richard, Gregory Lee	2000	0139612	\$37.79
Ross, Fred Samuel	2000	0118397	\$12.76
Rudisill, Kenneth Dwight	2000	0121151	\$26.94
Sain, Basil Loyd	1999	0069704	\$41.39
Sanborn, Donnie Reid	2000	0077810	\$10.84
Saunders, Dwight G.	2000	13851	\$73.04
Scoville, Ross Wayne	2000	0071153	\$52.96

Self, Dwayne Alan	1999	0112427	\$2.48
Sergent, Darleen Alice	1999	0141020	\$35.00
Shires, Ronald Wayne Jr.	2000	0124083	\$55.05
Short, Leanna Hester	2000	0124585	\$49.62
Shull, Patricia Edwards	2000	0103462	\$56.15
Simmons, Sheila Ann	2000	0146395	\$13.94
Simpson, Sandra Hampton	2000	0109440	\$24.05
Sisk, Kimberly Dawn	2000	0105000	\$0.96
Skeen, Kevin G.	2000	0127341	\$49.38
Small, Joe D.	2000	43917	\$16.21
Smallwood, John Ellis	2000	0128976	\$36.67
Smith, J. T.	2000	0102441	\$36.08
Speed, Edwin W.	2000	0143195	\$34.96
Stone, Joshua Aubrey	2000	0104135	\$31.83
Tarheel Contractors Supply	2000	0100656	\$28.56
Thomas, William Leon	2000	08637	\$10.36
Thompson, Robert Cyrus Sr.	2000	0070076	\$62.97
Tschundin, Emil R.	2000	0146313	\$35.71
Vanover, Larry J.	2000	0143620	\$91.58
Wellman, Johnny Ray	1999	0091028	\$11.39
Werth, Leslie A.	2000	47924	\$18.28
Wise, Bobby Carol	1999	0094807	\$62.24
		TOTAL	\$3,921.52

#### MORE THAN \$100

NAME	YEAR	A/C NO	AMOUNT
Brendle, Pate Marcus	2000	0145752	\$165.72
Buckwell, Ashely	2000	0145696	\$116.52
Caldwell, Ann Beal	2000	0122264	\$129.67
Catawba Rental Co. Inc.	2000	0065446	\$470.20
Craig, Roger Judson	2000	0080790	\$104.01
Cross, Renaldo Cealus	2000	0138349	\$196.65
Dougherty, J. T.	2000	17813	\$132.13
Ellis, Desiree Howell	2000	0127908	\$109.71
First Baptist Church	2000	0074499	\$258.67
Fowler, Scott Stephen	2000	0124823	\$132.44
Frady, Michael Larry	1999	0103048	\$109.96
Gregory, Richard Albert	1999	0143582	\$286.52
Hicks, Sharon Williams	2000	0146577	\$192.82
Hill, Donald Mantze	2000	0081183	\$137.30
Lineberger, Brandon Sigmon	2000	0145774	\$215.42
Lovin, Robin Nolen	2000	0134003	\$110.69
Lunceford, Dolphus James	2000	0116399	\$102.79
Mace, Timothy Wayne	2000	0144689	\$170.08
Martin, Richard Clay	2000	0138148	\$147.19
McClellan, Shari Brotherton	2000	0094492	\$184.56
Mitchell, Penney Gordon	2000	0146196	\$113.48
Mosteller, James Kenneth	2000	0146681	\$123.93
Ray, Tommy Richard	2000	0111234	\$169.50
Town Square Ford Inc.	2000	26156	\$803.10
Voit, Louis L.	2000	0105008	\$245.14
White, Larry Wayne	2000	0097097	\$121.50
White, Tony Rhea	2000	0076703	\$151.13

TOTAL      \$5,200.83

**LINCOLN COUNTY TAX DEPARTMENT**  
**REQUEST FOR REFUNDS**  
**ANNUALS**  
**PERIOD COVERED (September 16 – October 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
Bierlair, George F. Jr.	2000	SFFD	0141135	\$26.74
Green, Patsy R.	2000	NBFD	00122	8.98
Harris, Barbara S.	1999	N321	41983	3.40
Hester, Pervie	2000	CRFD	02356	69.00
Houser, Michael Wayne	1999	SFFD	07314	48.26
Lincoln Center for Women's Hlth	2000	CITY	0124906	28.46
Lingerfelt, Wayne Kenneth	2000	NBFD	00368	28.10
Mauldin, Joan K.	2000	CITY	0139323	14.18
Poplar Springs AME Zion	2000	BCFD	44605	71.36
Powell, Robert C PA	2000	CITY	25819	32.97
Rollins, Furman & Joyce	2000	ALFD	15479	69.00
Scates, Donna & Robert Jr.	2000	BCFD	0113505	35.45
Schroeder, Henry L. Jr.	2000	DFD	0134369	3.41
TOTAL				\$439.31

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

NAME	YEAR	DIST	A/C#	AMOUNT
Adams, Carol Candler	2000	BCFD	0130833	\$870.39
Baker, Willie Mae	1998	PCFD	35821	200.60
Fidelity National Tax Service, Inc.	2000	BCFD	39356	413.85
Fidelity National Tax Service, Inc.	1999	NBFD	0126873	332.03
Parker & Howes	2000	UNFD	02300	286.78
Ross, Forest E. Jr.	2000	HCFD	09758	624.36
Webber, Bryon L.	1999-2000		DFD	0129644
				138.00

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

NAME	YEAR	DIST	A/C #	AMOUNT
Abbott, Glenn K.	2000	DFD/ELSD	0126072	\$2.17
Air Supply Co.	2000	BCFD	0062798	99.78
Avery, Jerry & Jennifer	2000	CITY	0133257	2.06
Barrick, Robert Orlin	2000	DFD/ELSD	0120782	5.51
Beaver, Carla	2000	ELFD/ELSD	20087	86.52
Blalock, Jeremy S.	2000	PCFD	0145612	1.95
Bridges, David W. & Cheryle M.	2000	ELFD/ELSD	0124227	6.67
Bryant, James Lee	2000	CITY	0098990	2.50

Caccia, Robert W.	1999	DFD	19995	13.42
Chitkhin, Kenneth & Angela	2000	BCFD	0086820	2.32
Colvard, John H. Jr.	2000	CRFD	0080295	9.05
Commtec Associates Inc.	2000	DFD/ELSD	24628	1.23
Fitzgerald, John Hill Jr.	2000	CITY	0090092	1.42
Fox, Christy Jean	1999	NBFD	0137452	1.09
Green, Patsy Rabb	1999	NBFD	0100597	19.42
Grigg, Wayne Lee	2000	HCFD	04205	2.28
Herman, Mark Randall	2000	PCFD	0123530	3.12
Houser, Dean	2000	SFFD	0137035	1.09
Houser, Marshall D.	1999	CITY	07309	28.16
Howell, Richard H.	2000	UNFD	0085238	60.45
Jonas, Bobbi Jo	1999	BCFD	0140873	7.49
Lane, Howard M.	2000	DFD/ELSD	0109667	5.40
McCorkle, Casey Alan	2000	PCFD	0138303	3.55
Moore, James Miller, Jr.	2000	ELFD/ELSD	0070899	1.35
Mote, Gary Anthony	1998	ELFD	0136210	23.45
Northmore, Sean & Lisa	2000	DFD/ELSD	0109779	7.67
O'Sullivan, Timothy J. & Joann	2000	DFD	0131671	4.53
Pope Raymond A.	1999	HCFD	0113238	12.99
Radon Medical Imaging	2000	ELFD/ELSD	0084143	60.81
Reese, Edward & Judy II	1999	PCFD	14448	2.15
Reinhardt, Terry & Donna	2000	BCFD	0098900	29.96
Rhodes, John Rankin	2000	BCFD	0078489	9.42
Saltus, James D.	1999	DFD	0076612	2.42
Sanders, Glen I.	2000	PCFD	0133997	4.45
Sellers, Sherry H.	2000	SFFD	0096270	40.80
Shanzer, Harold P.	2000	DFD	19461	64.06
Sigmon, Edith C.	2000	CITY	09460	46.90
Tar Heel Contractors Supply	2000	DFD/ELSD	0146347	27.00
Tate, Jackie W.	2000	ALFD	0135333	8.61
Thomas, Belinda H.	2000	ELFD/ELSD	0145081	88.48
Tindall, Carolyn & Junior	2000	ALFD	0145283	2.18
VT Inc as Tstee World Omni LT	2000	PCFD	0085238	28.02
Walls Memorial Baptist Church	2000	N321	0084172	1.22
Watts, Cale & Kathleen K.	2000	PCFD	0113844	16.82
Woodard, Nancy J.	2000	ALFD	0144566	2.21

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

NAME	YEAR	DIST	A/C#	AMOUNT
Chaney, James Marion Jr.	2000	SFFD	0069599	105.84
Consolidated Textile Services	1999	CITY	0141024	162.81
Herndon, Kenneth W.	2000	CITY	06626	130.36
Honda Lease Trust	2000	BCFD	0131676	132.03
Southern Way Towing	2000	ELFD/ELSD	0133546	126.45

Budget Adjustments 27 - 45:

- Budget Adjustment No. 27 for \$8,900 for the Board of Commissioners - \$8,900 for the sound system in the Commissioner's Room.
- Budget Adjustment No. 28 for \$107,688 for Building and Land Development to carryover funds from previous year amount allocated for land use study.
- Budget Adjustment No. 29 to budget additional funds, \$180,000, in CIP Recreation for the purchase of A.D. Shidal property.
- Budget Adjustment No. 30 to budget \$250,000 for Parks and Recreation Trust Fund grant to build East Lincoln Community Center.
- Budget Adjustment No. 31 for \$33,448 to progress billing from Robert Segal for sales tax reallocation services.
- Budget Adjustment No. 32 for the Register of Deeds for \$6,000 to cover the cost of the software upgrade and to provide additional concurrent user licenses to enable other county departments to access our imaging system.
- Budget Adjustment No. 33 to roll over encumbrance of remaining balance, \$39,000, in Budget from FY 1999/2000 in the Tax Department – Reappraisal section.
- Budget Adjustment No. 34 for 20,000 Positron Workstation approved 9/11/2000, truck to install road signs, Cox & Company & L. Robert Kimbrell addressing assistance items paid from E-911 funds, totaling \$72,300.
- Budget Adjustment No. 35 for \$250,000 for additional appropriation to schools for purchase of books as approved October 16, 2000.
- Budget Adjustment No. 36 for \$250,000 to fund 12 additional deputies approved October 16, 2000.
- Budget Adjustment No. 37 for expenses to cover the Americorps Position. County expense maximum of \$2,500.
- Budget Adjustment No. 38 to budget \$625,000 to purchase property for elementary school using \$128,000 of bond proceeds and \$497,000 from interest earnings.
- Budget Adjustment No. 39 for Social Services to increase expenditure and revenue line items \$2049 for additional allocation of funds for Crisis Intervention Program (no county funds involved).
- Budget Adjustment No. 40 for Social Services to increase expenditure and revenue line items \$331,634 for additional allocation of funds for Child Day Care Program through State funds and Smart Start (no county funds involved).
- Budget Adjustment No. 41 for \$22,116 to return unspent Juvenile Crime Prevention funds to State.
- Budget Adjustment No. 42 for Social Services for \$600,000 to set up new expenditure and revenue accounts for initiating the Journey to the Stars program through the Partnership of Lincoln/Gaston (SmartStart). No county funds involved.
- Budget Adjustment No. 43 for the Group Home for \$11,122.00 to reflect donations received from Heafner Tire and UMW Circle #6.
- Budget Adjustment No. 44 for Social Services for \$11,936 to increase expenditure & revenue line items for additional allocation of funds for Crisis Intervention Program (no county funds involved).
- Budget Adjustment No. 45 for \$21,033 for Social Services to increase expenditure & revenue line items for allocation of funds for TANF Child Welfare staffing. These funds will be used for a contracted worker in Children's Services including salary, travel, and training expenses. (100% Federal funds – no county requirement)

**WATER ACCOUNTS REQUESTING ADJUSTMENT  
OCTOBER 4, 2000 – NOVEMBER 10, 2000**

<b>NAME</b>	<b>ACCOUNT #</b>	<b>ADJUSTMENT</b>	<b>NEW TOTAL</b>	<b>REASON</b>
Larry Bostian	10227583-01	\$66.52	\$52.66	Leak
Randall E. Helms	6148331-02	\$45.69	\$52.48	Leak
Shea Homes	12242901-00	\$1,651.36	\$705.88	Leak
Joann Louttit	10224311-01	\$157.08	\$86.47	Leak

**CUSTOMERS REQUESTING LATE PAY PENALTY REMOVAL**

**SEPTEMBER 8, 2000 – NOVEMBER 10, 2000**

<b>NAME</b>	<b>ACCOUNT#</b>	<b>ADJUSTMENT</b>	<b>REASON</b>
James Testerman	6126331-00	\$5.00	Late Pay Penalty
Paul R. Bleiberg	12241921-01	\$5.00	Late Pay Penalty

## **Waived Fees for Center Usage**

## - Rotary Club Auction

## Sponsored Group Status

- Metrolina Kidney Center

## Letter of Credit

## - Oxford Hunt Subdivision – Phase II

Jeff Taylor, County Attorney, stated that the contract for the Oxford Hunt Letter of Credit is satisfactory to him and Building and Land Development staff have reviewed the numbers. He stated that in the Letter of Credit, there is one thing that needs to be changed, which First Charter is working on. He asked the Board to consider approval subject to having this corrected subject to the satisfaction of the County Attorney.

**A MOTION** by Commissioner Saine to accept the Consent Agenda subject to approval by the County Attorney on the Oxford Hunt Letter of Credit and authorizing the County Manager to sign off on the Letter of Credit once he gets approval from the County Attorney.

**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.

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

**Position Reclassification – Erma Deen Hoyle:** Erma Deen Hoyle requested that the Board reclassify a position in the Social Services Department. The current Information and Case Assistant position (Grade 15) is more aptly described as a clerical or resource position. The new classification for the Services and Programs Coordinator would be Grade 18. Position would require more training and/or experience and more knowledge of the programs and options available.

Based upon guidelines recommended by the Area Agency on Aging (Centralina) the position should be more of a case manager for seniors and a services manager for the department's programs receiving state and/or block grant funding. This employee would also be responsible for program needs assessment, such as would be required before programs such as congregate meals could be added. Employees would also be able to assume supervisory role in Director's absence.

Money for salary for the current year is from grant allocations for the information and case assistant position, which is vacant at this time. No additional funds are requested. Approximately 80% of funding should be available in subsequent budget years from grants and Senior Center Allocations.

**A MOTION** by Commissioner Waters to make the reclassification.

**Vote: Unanimously approved.**

**Agreement Concerning Water Supply By and Between the City of Lincolnton and the County of Lincoln to Sell and/or Exchange Water Into the Respective Systems:**

**STATE OF NORTH CAROLINA**

**COUNTY OF LINCOLN**

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

**THIS AGREEMENT**, made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2000, by and between the **CITY OF LINCOLNTON**, a municipal corporation organized and existing under the laws of the State of North Carolina, hereinafter referred to as "City" and the **COUNTY OF LINCOLN**, a body corporate and a political subdivision of the State of North Carolina, hereinafter referred to as "County";

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

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

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

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

- 1. AMOUNT OF WATER.** The City hereby agrees to sell to the County an amount not to exceed 750,000 gallons per day. The water sold will meet all of the standards of the North Carolina Department of Environment and Natural Resources; provided ,however, the County agrees that the condition of the water after its delivery to the County through meter(s) will be the sole responsibility of the County

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

The rate of withdrawal by the County will not exceed 520 gallons per minute for a consecutive two-hour period. If at any time the gallon/minute withdrawal rate of the County reduces the City's residual pressure below 35 PSI, the City will have the right to immediately reduce the gallon/minute withdrawal rate by the County in such an amount as to raise the City's residual pressure above 35 PSI.

3. **INTERCONNECTION OF WATER LINES AND METERING STATIONS.** The interconnection of water systems and the location of the metering stations will be determined by using the City staff, the City consulting engineering firm and/or the County engineer or the County consulting engineering firm, and these decisions will be made based upon usual and customary engineering data and practices, subject to the following provision. Provided, however, that the County's water system will be monitored at the Bethel Church Pump Station and at the Pumpkin Center Tank. The information will be transmitted to the Lincolnton Water Treatment Plant for monitoring. Telemetry will be installed by the County at the Bethel Church Pump Station and the Pumpkin Center Tank so as to provide visual monitoring at the Lincolnton Water Treatment Plant.
4. **DURATION AND TERMINATION.** This agreement will automatically terminate on the third anniversary of the date of its execution, subject to the following provision. Provided, however, the City will have the absolute right to terminate this Contract, upon six (6) months written notice to the County, at any time prior to the aforesaid third anniversary if water production at the Lincolnton Water Treatment Plan reaches eighty percent (80%) of the plant's capacity.
5. **EXISTING CONTRACTS.** The parties acknowledge that they have heretofore entered into a number of contracts and agreements concerning water utility services, and they hereby agree that this Agreement does and will hereafter supersede any and all prior contracts and agreements concerning water utility services between the City and the County. The City and the County hereby declare that all prior contracts and agreements concerning water utility services between the parties are null and void and of no effect hereafter.
6. **CATASTROPHIC MALFUNCTION.** The City will not be liable for its failure to provide water under the terms of this agreement in the event of a catastrophe, act of God, or a malfunction of its water system which interrupts or limits the City's ability to supply water pursuant to this Agreement.

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

**CITY OF LINCOLNTON**

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Bobby G. Huitt, Mayor

**COUNTY OF LINCOLN**

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James A. Hallman, Chairman  
Lincoln County Board of  
Commissioners

Attest:

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City Clerk

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Clerk to the Lincoln County Board  
of Commissioners

**UPON MOTION** by Commissioner Gamble, the Board voted unanimously to approve the Agreement.

Commissioner Brotherton stated that he received a phone call from Fred Houser, Councilman with the City. At the City's most recent meeting, Mr. Houser made a motion to encourage the staff of the City to work with the County toward joint ventures. He stated that Mr. Houser would like the Board of Commissioners to take action, like the City, to encourage County staff to work jointly with the City staff. He stated that as soon as the new Board of Commissioners is seated, Mr. Houser said the City would certainly like to see some appointments to work with the City.

**A MOTION** by Commissioner Brotherton that the Board of Commissioners authorize County staff, which would include Stan Kiser, Brad Jewell, and Jack Chandler to work hand in hand with the City people continuing to pursue some possibilities that would benefit both Lincoln County and the City of Lincolnton, as far as water is concerned.

**Vote: Unanimously approved.**

**Public Hearing for Proposed Industrial Development Incentive Grant for Robb & Stuckey:** Chairman Hallman opened the Public Hearing for the Proposed Industrial Development Incentive Grant for Robb & Stuckey.

Barry Matherly introduced John Barker, Jr. and Norman Divers who represent Robb & Stuckey. Mr. Matherly and Mr. Barker gave an overview on the company and the project.

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

**A MOTION** by Commissioner Gamble to approve the Incentive Grant and authorize the signing of the agreement.

**Vote: Unanimously approved.**

NORTH CAROLINA

AGREEMENT

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 20<sup>th</sup> day of November, 2000, by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as "the County"), and ROBB & STUCKY, a Florida partnership (hereinafter referred to as "{R & S}").

WITNESSETH:

WHEREAS, R & S has developed plans for a new distribution facility to be located in the Lincoln County Industrial Park in Lincoln County, North Carolina; and

WHEREAS, the Board of Commissioners of Lincoln County verily believes that addition of new industries is vital to the economic health of Lincoln County and to the welfare of its citizens; and

WHEREAS, the Board of Commissioners further believes that such new industries will help in efforts to recruit additional industrial development to Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding Lincoln County's tax base and providing additional jobs for Lincoln County's citizens that pay wages higher than the current prevailing average hourly wage determined by the North Carolina Employment Security Commission; and

WHEREAS, the Board of Commissioners has determined that it is appropriate and in the best interests of Lincoln County and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the Board of Commissioners believes that it is appropriate and reasonable to expect R & S to bind itself to the County to produce certain results in its expansion as conditions of the incentives being offered by the County to R & S;

NOW, THEREFORE, for and in consideration for the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before November 20, 2001, R & S shall purchase a site in the Lincoln County Industrial Park and shall construct a distribution facility on such site.
2. On or before November 20, 2001, R & S shall make a minimum investment upon such site in building and equipment of \$4,800,800.00
3. On or before November 20, 2001, R & S shall provide at such site at least 12 new jobs paying an average hourly wage of \$10.60.
4. In consideration of R & S's performance of the aforesaid obligations, the County will provide cash grants to R & S of \$18,360.00 per year for a five-year period beginning in 2002. Such cash grants will be paid to R & S within (10) DAYS AFTER R & S has paid all real property taxes owed by it for the then-current year.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals of the day and year first above written.

ROBB & STUCKY

By: \_\_\_\_\_  
President

ATTEST:

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Secretary

(Corporate seal)

LINCOLN COUNTY

By: \_\_\_\_\_  
James A. Hallman, Chairman  
Board of Commissioners

ATTEST:

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Amy S. Long  
Clerk to the Board of Commissioners

**Lincoln County Water and Sewer District Meeting for December 18, 2000:**

**A MOTION** by Commissioner Brotherton to set an East Lincoln County Water and Sewer District Meeting for December 18, 2000 at 5:30 PM.

**Vote:** Unanimously approved.

**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	
Alternate	1
Delegate	1
Planning Board – Lincolnton	1
(unexpired term ending 12/01)	

**Appointments:** Commissioner Saine presented the following appointments.

**Planning Board**

Gerald Johnson  
Lee Killian  
Mike Baker  
Terry Whitener

**Historic Properties Commission**

Robert Graham  
Dennis Williams

**A MOTION** by Commissioner Saine to approve the appointments and reappointments.

**An amendment to the motion** by Commissioner Gamble that they both be approved subject to a report from the County Attorney on whether they can serve.

**Vote:** Unanimously approved.

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

**Public Comments on Proposed Work First “Families First” Development Plan:**

Chairman Hallman opened the Public Comments on the Proposed Work First “Families First” Development Plan.

Commissioner Gamble asked for a report card on how this is working.

Susan McCracken stated that the plan needs reviewing and approval. It has to be in to Raleigh by December 1.

Chairman Hallman stated that at the end of this meeting, the Board will recess to November 28, 2000 at 6:00 PM to vote on this.

**Final Plat Approval for Parallel Conditional Use Rezoning No. 15 – Riverside Walk**

**Apartments:** Lee Lawson presented the following information concerning Final Plat approval of Parallel Conditional Use Rezoning No. 15 – Riverside Walk Apartments.

In December 2, 1996, the Planning Board and the Board of Commissioners approved the request for PCUR #15. The request was to rezone a 31.19 acres parcel from Residential Transitional (R-T) to Conditional Use Residential Suburban (CU R-S) to accommodate an apartment complex which included two hundred and eighty-eight (288) multiple family dwelling units. The parcel is located on the northwest corner of the intersection of N.C. Highway 16 and N.C. Highway 73 in the Catawba Springs Township. The only condition with this PCUR case was that the Board of Commissioners would need to have final plat approval. The Lincoln County Land Development Plan calls for higher residential development in this area.

**UPON MOTION** by Commissioner Gamble, the Board voted unanimously to approve the final plat for Parallel Conditional Use Rezoning No. 15 – Riverside Walk Apartments.

**Public Hearing on Proposed Amendments to the Lincoln County Animal Control**

**Ordinance:** Bill Beam, Chief Deputy, stated that in conjunction with opening the new Animal Shelter, he is requesting the following change in the Lincoln County Animal Control Ordinance.

**Section XIII. IMPOUNDMENT & ADOPTION**

A. If the dog is wearing a rabies or identification tag, the Officer/Specialist will make a reasonable attempt to contact the owner/harbor. The dog or cat will be held for 5 days beginning on the day of impoundment for a fee of (see fee schedule) a day and a (see fee schedule) pick-up fee. After 5 days, any unredeemed dog or cat may be placed up for adoption to the public for a fee. The fee schedule will be set by Animal Control Supervisory to recover medical cost of spay-neuter, rabies vaccination if performed and any other medical costs performed at shelter or veterinarian's office. Animals may be euthanized at the discretion of Animal Control employees.

B. Delete paragraph "B" completely.

Mr. Beam stated that he sent out bids to all veterinarians in Lincoln County for an opportunity to bid on medical services for Lincoln County through the shelter. The lowest bid was from Dr. Lori Mitchell at the Maiden Small Animal Clinic. She has agreed to a contract for a year's period where she will spay or neuter a dog or cat for \$35, give a Parvo 7 in 1 shot for \$5, another 7 in 1 shot for cats for \$5, euthanization of animals under 8 weeks of age for \$5, and worming of puppies and kittens would be \$1 through \$5. An administrative fee of \$5 also applies.

Mr. Beam asked permission for them to be able to set up a fee schedule to be able to do the veterinary services in-county. He stated that the price would reflect the cost of medical services to the animal.

Chairman Hallman opened the Public Hearing concerning the proposed amendment to the Lincoln County Animal Control Ordinance.

Maggie Dollar asked if a daily rate has been established. She stated that she thinks this is a good step forward for Lincoln County.

Bill Beam stated that the rate is now set at \$7 per day and he does not anticipate it being changed.

Betsy Badao asked if it wouldn't be advantageous to hire a veterinarian to work at the animal shelter.

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

**UPON MOTION** by Commissioner Saine, the Board voted unanimously to adopt the amendment to the Lincoln County Animal Control Ordinance, Section XIII.  
**IMPOUNDMENT & ADOPTION.**

**Recess:** Chairman Hallman called for a recess to hold the Board of Variances and Appeals meeting.

Chairman Hallman called the meeting back to order.

**County Commissioners' Report:**

Commissioner Gamble stated that he noticed that the Board is still refunding a lot of money for what appears to be leakage of water between the meter and the home.

**UPON MOTION** by Commissioner Gamble, the Board suspended the Rules to add Water Refunds to the agenda, to be discussed with staff at the November 28, 2000 meeting.

**County Manager's Report:** Stan Kiser, County Manager, stated that grand opening of the new Animal Shelter has been scheduled for Sunday, January 14.

Mr. Kiser gave reports on the Sludge Facility at the Water Plant, the East Lincoln Recreation Building, and the Beatties Ford Access Park.

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

**Hospital Report:** Commissioner Gamble was not present at the last Hospital Board meeting, so County Manager Stan Kiser gave a report on the Hospital.

**Closed Session:** **UPON MOTION** by Chairman Hallman, the Board voted unanimously to go into Closed Session to approve Closed Session minutes and to discuss a personnel matter pursuant to N.C.G.S. 143-318.11.

The Board returned to Open Session and the Chairman advised that the Board approved Closed Session minutes that are still closed.

**Other Business:** **A MOTION** by Chairman Hallman to increase the County Manager's salary by 10% and the Clerk to the Board's salary 5%, effective immediately.

Commissioner Waters stated that this is the wrong time to do this.

Commissioner Gamble stated that Mr. Kiser has done a good job and Amy Long does a good job, but he does not feel comfortable in doing this salary increase out of season.

**VOTE: 3 – 2**      **Ayes: Hallman, Brotherton, Saine**  
**Noes: Waters, Gamble**

Chairman Hallman stated that the Elections Office had the 20-odd days early voting put upon them. He stated that he voted early and noticed those ladies being extremely helpful and extremely cordial to the public, and bending over backward working from 7:30 in the morning to 7:30 at night, day after day. He asked the County Manager to take these employees out to dinner one night to show the Board's appreciation for the good job they did, having the money coming out of the discretionary fund.

**UPON MOTION** by Chairman Hallman, the Board voted unanimously for the County Manager to take all the Board of Elections employees and their spouses out to dinner to show the Board's appreciation.

Commissioner Gamble stated that he has talked to a Commissioner elect, and would like to ask Judy, Secretary to the Elections Board, to analyze the ballots and see how many votes were affected by single-shot voting on one side and irraticating the straight line voting on the other side of the ballot.

Stan Kiser stated that the Board has been presented with a memo concerning the purchase of an ambulance through the piggy back method.

**UPON MOTION** by Commissioner Waters, the Board voted unanimously to add this to the December 4, 2000 agenda.

**Recess:** **UPON MOTION** by Commissioner Brotherton, the Board voted unanimously to recess the meeting to November 28, 2000 at 6:00 PM.

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Amy S. Long, Clerk to the Board

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Jerry W. Cochrane, Chairman