

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 15, 1999

The Lincoln County Board of County Commissioners met in regular session on November 15, 1999 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.

Commissioners Absent:

John R. Gamble, Jr.

Others Present:

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

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

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

Pledge of Allegiance

Adoption of Agenda: UPON MOTION by Commissioner Brotherton, the Board voted unanimously to adopt the agenda as follows, with the additions in bold.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

NOVEMBER 15, 1999

- | | |
|------------|----------------------|
| 5:30 PM | Call to Order |
| 5:30 PM | Invocation |
| 5:30 PM | Pledge of Allegiance |
| 1. 5:30 PM | Adoption of Agenda |

2. 5:35 PM Approval of Minutes
 - November 1, 1999
3. 5:40 PM Consent Agenda
 - Tax Requests for Releases
 - Less than \$100 – September 16 – October 15, 1999
 - More than \$100 – September 16 – October 15, 1999
 - Tax Requests for Refunds
 - Less than \$100 – September 16 – October 15, 1999
 - More than \$100 – September 16 – October 15, 1999
 - Sponsored Group Status
 - Metrolina Kidney Center
 - Budget Adjustments 24 – 25, **26 - 28**
4. 5:45 PM Public Comments
5. 6:00 PM Resolution for Mary Abernethy Dellinger Memorial Plaque
6. 6:15 PM An Ordinance for Regulating Minimum Standards for Adult Care Homes Licensed and Operating in Lincoln County
7. 6:30 PM Late Filing Penalty – NC Electric Membership Corp. – Madge Huffman
8. 6:45 PM Schedule of Values – Madge Huffman
9. 7:00 PM Resolution for Clean Water Management Trust Fund
10. 7:10 PM East Lincoln Recreation Building Sewer
11. 7:25 PM Request for Out of State Training for EMS – Bill Ward
12. 7:30 PM Vacancies
13. 7:35 PM Appointments
14. 7:40 PM Calendar
15. 7:45 PM County Commissioner's Report
16. 8:00 PM County Manager's Report
17. 8:10 PM Other Business
18. 8:20 PM Closed Session – Contractual and Personnel

Adjourn

Approval of Minutes: UPON MOTION by Commissioner Waters, the Board voted unanimously to approve the minutes of the November 1, 1999 public hearing meeting.

Consent Agenda: UPON MOTION by Commissioner Brotherton, the Board approved the Consent Agenda as follows.

RELEASES FOR AUGUST 16TH THRU SEPTEMBER 15TH, 1999

LESS THAN \$100 – MOTOR VEHICLES

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Bessie S.	1999	0072000	\$34.88
Addison, Dorothy Roberts	1999	11603	\$7.02
Allen, Randy F. & Libby J.	1998	02134	\$3.52
Allman, Shea Nicolas S.	1998	0136084	\$3.65
Anderson, Jean Wilson	1998	0137625	\$70.96
Asaro, James Michael	1999	0137787	\$90.57
Barkley, Gloria Josey	1998	0137601	\$26.33
Barrett, Michael Wesley	1998	0128228	\$40.23
Baumgardner, David Lee	1998	0095468	\$18.17
Baxter, Joyce McDowell	1999	0137639	\$0.73
Beaver, Stanley Kamaili	1999	0072094	\$17.24
Beeson, Amethyst Paige	1998	0133564	\$5.00
Belvin, Ronald C.	1999	0123333	\$15.66
Bennett, Timothy C.	1998	0132914	\$56.04
Bentley, John W.	1998	42898	\$10.51
Bond, Lucile Abbitt	1998	0077530	\$80.07
Bond, Major Kern	1999	0086224	\$57.46
Boulware, Milda Dorath	1999	0075979	\$9.80
Boyles, Barry Jan	1999	0077848	\$29.53
Boyles, Phillip M.	1998/99	0130126	\$29.65
Bozza, Joseph A.	1999	0110770	\$27.32
Brady, Bryan David	1998	0130686	\$43.97
Breaktime Vending Inc.	1999	0137793	\$86.58
Brodziak, Lorraine Lynn	1998	0071592	\$59.54
Brosek, Gregory Francis	1999	0131017	\$40.38
Brown, Ilene Brigman	1999	0079230	\$44.45
Buchanan, Stacey Laye	1998	0138193	\$65.15
Burgin, Billy Neal	1998	0118012	\$10.93
Burris, Efrid Strickland	1999	0071659	\$5.78
Caldera, Victor C.	1999	11434	\$12.51
Campbell, Terry Gene	1999	28019	\$18.47
Cannon, Carl Eugene Jr.	1999	0096204	\$84.81
Cantrell, Penny W.	1999	02660	\$38.35
Carolina Distributing Co.	1998	24475	\$11.80
Carswell, Michael Blake	1999	0073350	\$36.10
Castle, Steven M.	1998	0129662	\$29.21
Chapman, Gary H.	1998	04763	\$87.77

Choate, Phillip James	1998	45042	\$45.09
Clark, Karen Nicole	1998	0101669	\$30.79
Cline, George Odell	1998	0130383	\$75.94
Cline, Richard Calvin	1999	0108346	\$13.02
Collins, Michael Derwin	1999	0100941	\$22.84
Connell, David Scott	1999	0131832	\$17.22
Connor, Kenneth Wells	1998	0132303	\$2.60
Cook, April Kay	1998	0137484	\$90.75
Cook, Rickey L. & Annette	1999	04990	\$9.82
Correll, Lester R.	1999	12312	\$7.67
Cox, Robert Murray	1999	0123399	\$35.11
Cox, Timothy B. Sr.	1998	0129560	\$5.94
Craig, Darrell Gene	1999	0089114	\$15.97
Dabbs, Vontella Elizabeth	1998	0137126	\$32.26
Davis, Johnny P.	1998	0129409	\$54.27
Dellinger, William Joseph Jr.	1999	0065262	\$1.65
Dibruno, Cynthia Anne	1999	0128068	\$67.88
Duncan, Richard W. II	1999	0137517	\$37.79
Dyson, Robert Brent	1998	0111802	\$14.68
Edwards, Cynthia Isbell	1999	0136230	\$70.39
Evans, George Robert	1998	0137554	\$12.64
Farmer, Michael Lloyd Jr.	1998	0138290	\$1.90
Fesmire, Charles Edward Jr	1998	0137633	\$25.38
Fitch, William McKinley	1999	0079643	\$8.03
Foster, Jennifer Kay	1998	0137476	\$16.56
Franklin, Roger Dale	1998	0080278	\$13.69
Franklin, Harry Eugene	1999	0103214	\$65.22
Freeman, Janice Ballard	1999	0080625	\$12.32
Frye, Cynthia Elizabeth	1998	0137433	\$42.90
Gable, Susan Tucker	1998	0111698	\$7.14
Garcia, Marco Tulio	1999	0123982	\$53.97
Gavin, Jeffrey D.	1998	0119782	\$32.38
Ghant, Michael David	1998	0137141	\$80.88
GMAC	1999	0129879	\$74.07
Goble, Brenda Moretz	1998	0137550	\$25.41
Gompers, Roger R.	1998/99	0130042	\$24.47
Graham, Lloyd	1998	0134876	\$3.87
Greene, Flossie Canipe	1998	0101044	\$10.18
Greene, Geneva Saunders	1998	0137604	\$12.50
Grindstaff, Denise Shoe	1998	0111657	\$88.88
Hagens, Robert A. & Diane	1999	17317	\$16.14
Hall, Jeffrey Scott	1998	0137607	\$74.53
Hall, Teresa Lynn	1998	0120785	\$2.61
Hamilton, Rosa Lee	1998	0125006	\$48.48
Harrill, Steve Moss	1999	0063262	\$87.45
Harris, Teresa Hall	1999	0137160	\$23.39
Harwood, Gariot H.	1998	0131312	\$7.52
Hayes, Charles Roderick	1998	0134531	\$95.92
Heavner, Christopher W.	1999	06092	\$33.72
Helton, Sandra Rivera	1998	0137467	\$27.60
Henderson, Anne Maling	1998	0115021	\$22.13
Hendrix, Jacqueline Marie	1998	0136321	\$39.67
Hester, John R. & Jean C.	1999	17933	\$11.34
Hilburn, Stephen Lee	1999	0089825	\$20.65

Hilderbran, Lori Annette	1998	0137588	\$34.56
Holmes, Judy Ann	1998	0137642	\$2.63
Holt, Henry B.	1998	0098645	\$88.70
Houck, Linda Barrett	1998	0066398	\$3.33
House, Edward Lee Jr.	1998	0082933	\$57.77
Houston, Gail Lawing	1999	0068210	\$27.97
Hoyle, Reba Eaker	1998	0095189	\$58.06
Hudson, Kimberly Flanigan	1999	0072604	\$33.79
Hughes, Danielle Lee	1999	0123425	\$17.16
Hurt, Rebecca Propst	1998	0121041	\$26.18
Ingle, Terry Dale	1999	0077975	\$11.70
Isaacs, Michael D.	1998	0130176	\$64.15
Johnson, Ruth Huffman	1999	0072679	\$29.45
Keneda, Gorden Tracy	1999	0072354	\$5.51
Kilbourne, Brent Alan	1998	0068561/0114595	\$46.38
King, William E. IV	1998	0123236	\$49.56
Klinesmith, Vickie Laws	1998	0079779	\$16.08
Lackey, Mark Dale	1998	0069234	\$24.80
Lail, Garry Scott	1998	0106482	\$18.85
Lancaster, Darlene Herman	1998	0136996	\$66.63
Lane, Helen C.	1998	0132391	\$21.62
Lane, Michael Allen	1998	0101862	\$1.96
Leiva, Carlos Alberto	1998/99	0117817	\$21.21
Lerch, John M.	1998	0137635	\$73.62
Lineberger, Alice Spivey	1998	0137577	\$60.26
Lloyd, Joyce Garrison	1998	0066116	\$79.34
Long, Angela Crouch	1998	0129144	\$13.50
Luce, David L.	1999	0138443	\$37.66
Ludwig, Mark David	1998	0105432	\$39.73
Maddox, James Edward	1998	0099279	\$15.40
Mahan, James Edward	1998	0066228	\$14.44
Markham, Robert Noell	1998	0131826	\$32.29
Martin, Melissa Maryann	1998	0137442	\$6.08
Martinez, Jose Garcia	1999	0087133	\$15.95
Massey, William Woodrow	1999	0060943	\$42.57
Mauney, John Loy	1998	0133908	\$6.08
McClure, Mark Robert	1998	45436	\$16.56
McGinnis, John Edward Jr.	1998	0127348	\$2.00
McGuire, David A.	1998	0132424	\$62.82
McMullen, Henry Joseph	1999	0107602	\$13.82
Meadows, Edward C.	1998	0137622	\$6.45
Mele, Anthony M.	1999	0125545	\$85.06
Mirtsching, Richard Howard	1998	0119464	\$70.47
Mitchem, George-Ann	1998	0137617	\$78.67
Moody, Billy D.	1998	0098381	\$35.75
Moore, Lisa M.	1999	32644	\$5.58
Moore, Melvin Glenneth	1999	0102453	\$20.15
Mullen, Richard S.	1999	16914	\$53.76
Neal, Robert E.	1998	0131290	\$68.88
Newcomb, Richard Donald	1999	0137870	\$75.45
Nicholson, Lurena	1998	42319	\$34.99
Nielsen, Joeline Ann	1999	0123699	\$26.53
Nixon, James Thomas	1999	0067279	\$23.46
Odell, Donald Guy	1998	0134515	\$25.52

O'Dillon, Myrtle S.	1998	0128834	\$89.36
Owens, Sue Helms	1999	0075413	\$36.68
Oxendine, Kenneth Franklin	1998	0063434	\$77.89
Pardue, Gary Garland	1998	0063474	\$63.17
Pate, Eric Wayne	1998	0120028	\$10.76
Plumley, Dennis Otis	1998	0108001	\$30.86
Poole, Jimmy Lee	1999	0072625	\$41.10
Poston, Alan Bruce	1998	0105364	\$98.52
Pound, Marvin E. & others	1999	13981	\$55.30
Prather, Charles Melvin	1998/99	0112208	\$96.35
Price, Willie Mae Motz	1999	0124121	\$35.54
Propst, Edward Russell Jr.	1999	0091289	\$19.00
Pruette, Delphia Eller	1998	0137473	\$88.84
Pyne, Gary E.	1998	0125460	\$78.12
Ramos, Patricia Ann	1998	0137480	\$20.75
Randolph, Edna Ruth	1999	0095850	\$8.97
Ray, Johnny Franklin	1999	0095160	\$83.23
Reese, Terry	1998	0127761	\$45.80
Revens, Charles Louis	1998	0130692	\$7.20
Rhoney, Dennis Alvin	1999	0138508	\$65.00
Rhyme, Ruth Schronce	1998	0131765	\$12.51
Richard, Bryan Dale	1998/99	0135603	\$79.55
Riffe, Jesse Junior	1999	0102347	\$11.15
Rooks, Laura Stimpson	1999	0105515	\$20.24
Rudd, Ronald Arnett	1998	0126757	\$63.06
Sain, Howard Alexander	1999	0131038	\$33.76
Sanchez, Timothy David	1999	0130401	\$33.65
Sanders, Thomas Harold	1998/99	0067493	\$26.12
Schronce, Gay Howard	1998	0084344	\$51.36
Schrum, David Loyd	1999	03101	\$4.15
Setzer, Cyril Rodney	1999	46517	\$17.63
Shakir, Hammad	1998/99	0137590	\$74.48
Shields, Mark C.	1999	42434	\$37.71
Shrack, Harry William	1999	0118983	\$44.71
Shuford, Lucille M.	1999	19782	\$5.47
Simmons, Andy Clyde	1999	03280	\$44.35
Skorstad, Gudrun	1998	0107024	\$74.95
Sloop, Ricky Lynne	1998	0137485	\$89.85
Sloop, Sharon Safrit	1998	0137540	\$35.80
Smith, Keith L.	1999	0134271	\$16.66
Snow, Jeffrey C.	1998/99	0115836	\$34.94
Spivey Construction Co. Inc.	1998	0136513	\$42.92
Starr, Clarence Dean	1999	0094207	\$9.07
Subaru American Credit	1999	0103637	\$82.11
Taylor, Harry	1999	21149	\$40.83
Taylor, James N.	1998	0131337	\$6.94
Thoma, Daniel Roy	1999	0084854	\$35.57
Thompson, Brian T.	1999	0104161	\$15.49
Thompson, Randy Lee	1999	0113991	\$70.59
Torres, Jose Bulmaro	1999	0128024	\$37.87
Tucker, Kenneth Neil	1999	0137560	\$64.57
Vandyke, Ronley David Jr.	1998	0116564	\$42.96
Velcor Leasing Corp.	1999	0138575	\$93.52
Vinson, Charles Huston	1999	0116872	\$3.65

VT Inc. Tstee World Omni	1998	0121060	\$96.53
White, David Wayne	1998/99	0096393	\$19.08
Whitener, Kimberly Ann	1998	0136932	\$70.92
Wilkinson, Raymond L.	1998	0137423	\$83.25
Williams, Rita Ann Jenkins	1999	0138424	\$31.39
Willis, Karla Lea	1999	46211	\$44.22
Wyatt, Morris Junior	1999	0074065	\$27.83
Wyatt, William Dewey Sr.	1998	0070271	\$91.11
Xaltipa-Garcia, Anthonio	1998	0131633	\$12.56

RELEASES LESS THAN \$100

NAME	YEAR	A/C	AMOUNT
Affordable Cars	1998/99	0126095	\$73.16
Beam, Guy Edward	1999	02255	\$69.00
Biggerstaff, Richard W.	1999	0097712	\$69.00
Bingham, Shannon Carroll	1999	0087149	\$15.83
Brown, Cecil Leon	1999	0127004	\$69.00
Dreiss, Michael Jay	1999	0123738	\$22.97
DVI Financial Services Inc.	1999	0135486	\$38.64
Dyson, Brent	1999	0103839	\$34.08
Eason, Darlina	1999	0115783	\$43.24
Freeman, Dennie Shane	1996-99	35868	\$46.87
Habitat for Humanity	1999	0061164	\$43.74
Hartis, Roy	1996	0115827	\$77.55
Insulated Concrete Homes	1999	0133090	\$66.83
Kenseth, Matthew Roy	1999	0123563	\$35.62
Ledford, Alvin Jimmy	1999	19153	\$69.00
Moyer, Larry Dalton	1999	0064071	\$64.31
Northrop Gym	1999	0132458	\$72.05
Otten, Yvonne Spargo	1999	0115771	\$12.35
Parker, Earl Carroll	1999	0134914	\$59.74
Rhyne, Carl C.	1999	30073	\$69.00
Scott Rogers Builders	1999	0136667	\$65.50
Smith, Joey & Rachel G.	1999	10216	\$17.80
Stack, Richard	1999	0088668	\$13.49
Thomspon, Donovan A.	1999	134753	\$16.60
Wilkinson, David C.	1999	22042	\$5.32
Willis, Patricia Jean	1999	0111530	\$58.55

RELEASE MORE THAN \$100 – MOTOR VEHICLES

NAME	YEAR	A/C NO	AMOUNT
Adams, Lane J.	1998	0131315/0137466	\$109.00
Armstrong, Clay Hamilton	1998	0114036	\$141.00
Asplundh Tree Expert Co.	1999	0066576	\$833.03
Black, Charles Taylor Jr.	1998/99	0102622	\$154.92
Bolen, Eddie Dean	1998	31168	\$137.86
Branton, John Harvey Sr.	1999	0102167	\$118.02

Bray, William F.	1998	0114140	\$130.06
Caldwell, John W. Jr.	1998	20020	\$282.84
Carpenter, Randall Hosey	1998	0104709	\$129.75
Clawson, J. Doyle	1998	0127252	\$102.02
Cole, Michael Lewis	1998	0137279	\$161.47
Combs, Gary Wayne	1998/99	0135581	\$197.07
Cook, Keith Philip	1998	0124835	\$110.94
Cook, Walter David	1998	0103758	\$173.96
Cross, Renaldo Cealus	1999	0138349	\$208.15
Devenny, Roger Dean	1998	0135718	\$221.62
Digh, Marshall Edward	1998	0090428	\$241.76
Eurey, Teddy Warren	1998	0116441	\$159.29
Fenske, Jeffrey Dale	1998	0066367	\$163.14
Forbes-Robinson, Elliott	1999	0089050	\$143.13
Fulbright, Earl Luther	1999	0095741	\$225.87
Gamble, Betty Barnes	1998	0137637	\$103.28
Goggio, Steven W.	1998	0118105	\$184.76
Gold Key Lease Inc.	1999	0110568	\$212.26
Grant, John Paul	1998	13703	\$132.56
Grembecki, Michael R.	1998	0131803	\$170.30
Grindstaff, Denise Shoe	1995	0111657	\$233.77
Grindstaff, Raymond Henry	1998	0137640	\$120.34
Haigler, Vivian Thomas	1998	0137568	\$177.76
Hall, Gladys Haynie	1998	0137216	\$204.78
Hancock, Michael D.	1998	0129716	\$134.02
Harvis, Ronnie	1998	0062177	\$146.65
Hedrick, Robert Allen Jr.	1998	0135747	\$119.54
Hilton, Jean Knight	1998	0136280	\$102.06
Huff, Ricky Vernon	1998/99	0137498	\$278.48
Hull, Charles Uell	1999	0072470	\$138.41
Hull, Vickie Clippard	1999	0071910	\$111.25
Jarrett, Larry Thomas	1998/99	0117463	\$114.82
Kennedy, Audie Lane	1999	0086607	\$261.72
Knox, Linda C.	1998	0131414	\$169.49
Lanier, Elizabeth Ann	1999	0138011	\$107.41
Lemieux, Edward Allen	1998	0106309	\$242.39
Lindsey, Carroll Reeves	1998	0132652	\$277.87
Lloyd, Colleen Mcvicar	1998	0137024	\$114.70
Loftin, Sherwyn Alexander	1998	0137545	\$196.44
Martin, Alan Lee	1998	0137481	\$101.33
Matthews, Toni Skelton	1999	0138363	\$634.47
Maynor, Tiffany Nicole	1998	0120587	\$104.37
Mingus, Tina Eller	1998	0125813	\$101.57
Morton, Sally Leona	1998	0095774	\$152.36
Parker, Angela Carol	1998	0135615	\$138.56
Partin, Henry Luther	1999	0128410	\$134.21
Pearson, Robert Reuben	1998/99	0109843	\$219.43
Peeler, Terry Lee	1999	0104520	\$231.82
Pope's Quality Landscaping	1999	0122399	\$136.97
Porter, Troy Alexander	1998/99	0137610	\$173.74
Prather, Patricia Hedgpeth	1999	0137894	\$207.40
Reichard, Donald S.	1999	0061130	\$148.11
Richard Jackson Motor	1999	0135042	\$138.63
Riddle, Vickie Huntsinger	1998	0117013	\$173.02

Rorie, Russell Weyland	1998	0134274	\$266.09
Ruby, Susan L.	1998	0137592	\$254.91
Rudisill, Betty Braswell	1998	0124101	\$180.79
Sherrill, Eric Richard	1998	0127170	\$119.98
Sigmon, Charles Daniel	1998	0137523	\$231.34
Smith, Morris Spencer	1998	0137609	\$153.70
Spencer, Claude Lee	1998	0084894	\$273.38
Steinke, Thomas E.	1998	0130185	\$102.35
Stroup, C. D. III & Alise W.	1999	34277	\$107.02
Surratt, Clemath Ray Jr.	1998	0130394	\$159.04
Thomas, John A.	1999	0121227	\$117.22
Thompson, Roger D.	1998	0131822	\$229.65
Tomlinson, Charles Edward	1998	0137474	\$166.15
Tritt, Herbert Daniel	1998	0131791	\$346.00
Wallace, Joseph Steven	1999	0131990	\$197.07
Wilson, Joseph L.	1998	0128678	\$120.42
Yarbrough, Dorothy Terres	1998	0136367	\$116.64

RELEASES MORE THAN \$100

NAME	YEAR	A/C	AMOUNT
B & W Motor Sports	1999	0136508	\$709.50
Ball, Gary	1999	0134703	\$104.30
Boggs-Harris PA	1999	0133014	\$100.24
Bundy, Marcus	1999	0115670	\$101.75
Cross Sales & Engineering	1999	0136695	\$334.13
Dellinger, Karl & Teresa Jo	1998/99	05592	\$225.36
Hayes, Retina Anita	1999	0062466	\$346.89
Hinnant, Vicki L.	1999	0082673	\$148.75
Ikon Capital	1999	0122418	\$2,205.10
Javurek, James L.	1998/99	0130663	\$294.90
Johnson, William Lee Jr.	1997-99	18807	\$131.13
Lail, Charles H.	1999	0131828	\$309.31
Lee Scott Racing Enterprise	1999	0104094	\$1,173.51
Progressive Marketing Inc.	1999	0132463	\$169.06
Sanwa Leasing Corp.	1999	0107283/0107282	\$104.95
Sossamon, Cathy Ann	1998/99	0063667	\$164.50
Warren, Toby	1999	0115628	\$101.75

LINCOLN COUNTY TAX DEPARTMENT REQUEST FOR REFUNDS ANNUALS

PERIOD COVERED (September 16 – October 15, 1999)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Bank of America	1999	DFD/ELSD	17540	\$35.74
Baucom, Walter David Jr.	1999	HCFD	0117725	17.55

Biddix, Paul & Sharon	1999	NBFD	37661	1.01
Chang, Young Suk	1999	PCFD	0062218	69.00
Heafner, William L.	1999	N321	08254	18.20
Howard, David W.	1999	BCFD	0097274	25.65
Sain, Nancy Faye	1999	NBFD	0122001	60.62
Scronce, Kelly G.	1999	N321	14930	30.27
Tate, Steven G.	1998	ALFD	17035	5.27
Towery, Brenda Kay	1999	N321	0079364	37.29
West, Billy & Melinda	1999	BCFD	0103119	4.63
Wood, Donald W.	1999	ELFD	0134917	55.62

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
ANNUALS

PERIOD COVERED (September 16 – October 15, 1999)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Burton, Ronald L.	1999	CRFD	0131782	\$379.94
Lake Electric Co., Inc.	1999	DFD	0124402	2,432.83
Ruiz, Jose A.	1999	N321	0128825	146.09
West, Billy W. & Melinda	1999	BCFD	0104162	142.29

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
MOTOR VEHICLES

PERIOD COVER (September 16 – October 15, 1999)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Bailey, Morrison L. & Shirley	1999	CITY	28134	9.86
Ballard, J. Ronald	1999	PCFD	11992	13.16
Biddix, James & Gladys	1999	BCFD	0060341	45.34
Black, Daniel Gray	1999	ELFD/ELSD	0067745	17.58
Boggs, Lori Jenkins	1998	DFD	0090675	24.07
Brotherton, Cresswell L.	1998	ELFD	0093112	2.71
Brown, David Wayne Jr.	1999	ELFD	0069171	3.87
Brown, Ted Duey	1998	CITY	12980	4.61
Bunn, James L & Mildred	1999	BCFD	07603	1.57
Calvo-Ortega, Rafael	1998	BCFD	0133934	4.11
Campa, Juan Celco	1999	HCFD	0107774	1.60
Carroll, Charles & Jacquelyn	1999	BCFD	0132912	8.25
Clark, L. A.	1998	CITY	0124873	5.67
Colichio, James	1998	ELFD/ELSD	0110106	13.05
Cottrell, Douglas O.	1999	DFD	0124439	3.93
Davis, Spencer Wayne	1998	ALFD	0085850	12.02
Day, Ronnie Lee	1998	HCFD	0080006	17.85

Dick, Robert Jackson	1998	PCFD	0075432	3.14
Geurriero, Vincent J.	1998	DFD/ELSD	0129406	31.24
Graham, Joel Robert	1998	DFD/ELSD	0084675	32.03
Griswold, Gordon Wayne Jr.	1999	ALFD	0134895	44.15
Houser, Jimmy M.	1999	NBFD	0071990	35.42
Jackson, Kenneth & Lisa	1999	BCFD	0103149	4.36
Jenkins, Louis V. Jr.	1999	BCFD	0069904	8.44
Jolly, Timothy & Leslie	1998	DFD	0128115	1.31
McCurry, Stephen T.	1999	CITY	17102	13.48
Melendez, Eric Christopher	1999	DFD	0108772	1.97
Mitchell, Edgar P. & Virginia	1999	CITY	08295	9.23

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
MOTOR VEHICLES

PERIOD COVERED (September 16 – October 15, 1999)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Moore, Carl C. III & Robin	1999	UNFD	0112490	2.70
Morrell, Farrell W.	1999	ELFD/ELSD	0076128	92.50
Morrison, William James III	1998	CITY	0092246	13.83
Mortenson, Steven Craig	1998	DFD	0101485	25.06
Nelson, William David	1999	ELFD/ELSD	0125503	23.54
Oxford, Jerry G.	1998	PCFD	0133856	16.76
Nichols, Jerri D.	1999	ELFD/ELSD	0100161	5.21
Pate, Regina C.	1998	DFD	0105544	2.33
Robinson, Eddie Alan	1999	CITY	0127552	1.55
Robinson, Michael S.	1999	BCFD	0067974	28.84
Roepke, Charles J.	1998	CITY	29082	13.88
Romeo, David M.	1999	ELFD/ELSD	0083265	5.83
Ross, Forest (Gene) & Nancy	1998	CRFD	09759	26.68
Seigler, Christopher B.	1999	ELFD	0123974	1.45
Sledzewski, Robert B.	1999	NBFD	0062168	62.16
Smith, Lester Dean	1999	UNFD	0084782	4.72
Smith, Linda P.	1999	BCFD	0108711	3.65
Spencer, Douglas	1999	DFD/ELSD	0133620	8.40
Stull, Joyce & Joseph	1999	DFD	0104607	24.34
Tate, Steven G.	1997	PCFD	12531	11.82
Thrasher, Jack	1999	BCFD	08687	6.88
Turner, Denise L.	1999	ELFD	0065912	26.02
Varnadore, C. Buford	1998	N321	08969	22.32
Wright, Bobbi Joe Frye	1999	UNFD	0064772	28.67

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
MOTOR VEHICLES

PERIOD COVERED (September 16 – October 15, 1999)

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

NAME	YEAR	DIST	A/C#	AMOUNT
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Adkins, Christopher & Rebecca	1999	HCFD	0130085	\$436.69
Funderburk Construction Inc.	1999	CITY	0133069	113.98
Houser Transport Inc.	1999	NBFD	0121808	157.75
Massey, William W. & Mary	1999	PCFD	0060943	116.59
South Trust Bank of Alabama	1998	DFD/ELSD	0122134	116.28

Sponsored Group Status
- Metrolina Kidney Center

Budget Adjustments 24 – 28

Late Filing Penalty – NC Electric Membership Corp. – Madge Huffman: Ms.

Madge Huffman, Tax Administrator, made the recommendation to deny the Penalty Removal for the NC Electric Membership Corporation.

UPON MOTION by Commissioner Brotherton, the Board voted unanimously to deny the abatement of the Late Filing Penalty for the NC Electric Membership Corp, based on the recommendation of the Tax Administrator.

Resolution for Mary Abernethy Dellinger Memorial Plaque: Leslie Levine presented the following Resolution for the Board's approval.

RESOLUTION SPONSOR: Lincoln County Public Library

RESOLUTION TITLE: MARY ABERNETHY DELLINGER – MEMORIAL PLAQUE

WHEREAS, (Mrs.) Mary Abernethy Dellinger served the citizens of Lincoln County in The Lincoln County Public Library Local History Room from August 20, 1990 through January 26, 1999; and,

WHEREAS, Mr. Dellinger diligently fulfilled her duties and responsibilities as a County employee during her ten years of service; and,

WHEREAS, through her faithfulness and commitment to the Lincoln County Public Library she has earned the respect and appreciation of the Library Board of Trustees, her Library colleagues and the citizenry at large; and,

WHEREAS, the Lincoln County Public Library Board of Trustees and the Library staff requests that Mrs. Dellinger be recognized for her support of quality Library service and devotion to preserving the integrity of local history and genealogical research; and

WHEREAS, her family, friends, and colleagues wish to honor Mrs. Dellinger by donating a commemorative plaque for placement in the Library's Local History Room; and

WHEREAS, the Library Board of Trustees endorses the donation of a commemorative plaque in memory of Mrs. Dellinger for placement in the Library's Local History Room; and

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that this donation in memory of

MARY ABERNETHY DELLINGER

Be approved as set forth in this recommendation from the Library Board of Trustees.

BE IT FURTHER RESOLVED that a copy of this resolution, as adopted the 15th day of November, 1999, be made part of the official minutes of this Board.

UPON MOTION by Commissioner Saine the Board unanimously approved the Resolution for the Mary Abernethy Dellinger Memorial Plaque at the Lincoln County Public Library.

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.

Greg Huffstetler stated that he is President of the Lincoln County Fireman's Association. The Lincoln County Fireman's Association and the Lincoln County Fire Chiefs met November 10, 1999. Both groups asked him to come before the Board to request the reinstatement of the Deputy Fire Marshal position.

Matthew Futrell stated that he is here tonight on behalf of Boy Scout Troop 79. He stated that he did a two-week study on how many Fire Marshal's there are in the State of North Carolina. He presented the information to the Board of Commissioners.

Mary Scercy stated that she would like to know what is going to be done about the dump on Mariposa Road.

Jeff Taylor stated that it seems the operator of the dump continues to operate, despite the fact that he is beyond the time limit. Barbara Carpenter, Code Enforcement Officer, went out today, and took some pictures. There is a doublewide mobile home on the property, and there is still dumping of at least concrete. He stated that they will proceed to file a Code Enforcement case, and have the Court order the operator of this to do as much as the Court has the power to do.

Terry Brotherton stated that the County can only fine someone \$50 for a violation. He stated that he feels this should be put in the hands of a Superior Court Judge.

Christie Martin stated that she is here on behalf of residents of Lake Haven Estates. She stated that they are on the agenda for the December 6 meeting. She stated that they have concerns about the model home that is in their neighborhood. Ms. Martin stated that she has talked to Kelly Atkins. She stated that the buffer was never installed, and the developer did not meet the conditions that he promised in 1996.

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

An Ordinance for Regulating Minimum Standards for Adult Care Homes Licensed and Operating in Lincoln County: Susan McCracken, Social Services Director, and Wayne Godfrey, Chief Building Inspector, presented the following Ordinance.

**AN ORDINANCE REGULATING MINIMUM STANDARDS FOR
ADULT CARE HOME LICENSED AND OPERATING
IN LINCOLN COUNTY**

WHEREAS, the Lincoln County Board of Commissioners has heard a number of complaints from time to time regarding potentially dangerous conditions and various other deficiencies in adult care homes in Lincoln County; and

WHEREAS, the State of North Carolina, through the Division of Facilities Services of the Department of Health and Human Services, has adopted regulations governing many aspects of the construction and operation of such facilities; and

WHEREAS, the Lincoln County Board of Commissioners believes that the Minimum standards should be more stringent, particularly with regard to the safety of the building housing adult care homes; and

WHEREAS, the Board of Commissioners verily believes that it would be in the best interests of the citizens of Lincoln County and would promote the health, safety, and welfare of its citizens to set higher standards with regard to certain aspects of adult care facilities in Lincoln County;

NOW, THEREFORE, pursuant to the authority of Section 153A-121 of the North Carolina General Statutes, the Lincoln County Board of Commissioners hereby enacts the following Ordinance:

Section I.

DEFINITIONS. The following definitions shall apply to the terms used in this Ordinance.

- A. "Adult care home" refers to an assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to two or more residents as defined in N.C.G.S. 131D-2 (1b).
- B. "Building" or "facility" refers to the building or buildings housing an adult care

home.

- C. "Home" refers to an adult care home as defined above.

Section II.

GENERAL BUILDING REQUIREMENTS

- A. The building (including any contiguous unlicensed sections) and all fire safety, electrical, mechanical, and plumbing equipment must be maintained in a safe and operating condition.
- B. There must be an approved heating system sufficient to maintain 75 degrees F. (24 degrees C) in all areas (including any contiguous unlicensed sections of the building) which residents must egress through during their regular daily routines under winter design conditions.
- C. Air conditioning or at least one fan per resident bedroom and living and dining areas (including any contiguous unlicensed sections) must be provided when the temperature exceeds 88 degrees F (31 degrees C) in any central corridor which residents must egress through during their regular daily routines.
- D. All steps, porches, stoops, and ramps must be provided with handrails and guardrails. Any facility which is above grade must have an approved handicapped wheelchair ramp which complies with all current Americans With Disabilities Act standards and must be attached to a licensed section of the facility.
- E. All new construction and all additions, renovations and/or modifications to existing buildings (including any contiguous unlicensed sections) must meet the full requirements of the North Carolina Building Code for institutions and the sanitation requirements of the Division of Health Services as well as the requirements of this Ordinance.

Section II.

BEDROOM REQUIREMENTS

- A. A bedroom within a facility may not be occupied by more than two residents. This requirement also applies to homes licensed before April 1, 1984, in which five residents were allowed to occupy one bedroom.
- B. Each resident bedroom must be ventilated with one or more windows which are maintained operable and well lighted. The window area must be equivalent to at least eight percent of the floor space. The windows must be low enough to see outdoors from the bed and chair, with a maximum 36 inch sill height (as measured from the interior floor to the bottom of the sill) on interior walls and a maximum height of not more than 66 inches (as measured from grade to the bottom of the sill) on exterior walls.

Section IV.

SANITATION REGULATIONS

- A. Housekeeping: All adult care homes must have a sanitary grade of 90 or above at all times.
- B. In addition to any other applicable requirements, the facility must contain space for storage of dry refrigerated and frozen food items to comply with sanitation regulations. Such storage space must be located within the licensed section of the building.

Section V.

PERMITS, ENFORCEMENT; EFFECTIVE DATE

- A. No Lincoln County permits of any kind shall be issued for an adult care home until the operator (or proposed operator) has demonstrated compliance with the provisions of this Ordinance.
- B. The Lincoln County Department of Building and Land Development shall be responsible for enforcement of the provisions of Sections II and III of this Ordinance.
- C. The Lincoln County Health Department shall be responsible for enforcement of the provisions of Section IV of this Ordinance.
- D. Violations of this Ordinances may be enforced by any one or more of the remedies authorized by Section 153A-123 of the North Carolina General Statutes, including, but not limited to, the following:
 - (1) A citation issued by Lincoln County staff which subjects the offender to a civil penalty of fifty dollars (\$50.00) to be recovered by the County in a civil action in the nature of debt if the offender does not pay the penalty within twenty (20) days after being cited for a violation.
 - (2) A civil action seeking an injunction and order of abatement may be directed toward any person or entity creating or allowing the creation of a condition that violates the provisions of this Ordinance.
 - (3) A misdemeanor warrant. A violation of this Ordinance upon the issuance of a misdemeanor warrant shall be punishable under Section 14-4 of the North Carolina General Statutes by a maximum sentence of thirty (30) days and/or a maximum fine of fifty dollars (\$50.00).
- E. This Ordinance shall be effective upon its adoption.

Adopted by the Lincoln County Board of Commissioners this _____ day of November, 1999.

James A. Hallman, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board of Commissioners

UPON MOTION by Commissioner Brotherton, the Board unanimously approved (Commissioner Gamble absent) the Ordinance for Regulating Minimum Standards for Adult Care Homes Licensed and Operating in Lincoln County.

Jeff Taylor, County Attorney, stated that for an Ordinance to be adopted, all five Board members must be present to vote on it. He stated that the Board could do it at their next meeting.

Commissioner Brotherton stated that there are some additional concerns he would like to see addressed. Commissioner Brotherton stated that the State of North Carolina allows a home with 12 or less residents to operate with only one staff member. He stated that he would like to see this Board consent to staff going back pursuing possibilities of staffing requirements and strengthening the staff for the administering of medication.

It was the Consensus of the Board to allow Susan McCracken and DSS staff to pursue the possibilities of staffing requirements and strengthening the staff for the administering of medication.

Schedule of Values – Madge Huffman: Madge Huffman, Tax Administrator, stated that this is the final step of the adoption of the Schedule of Values.

UPON MOTION By Commissioner Waters, the Board voted unanimously to approve the Schedule of Values for the Tax Reevaluation.

Madge Huffman stated that for the next four weeks, an ad will need to be run in the newspaper.

East Lincoln Recreation Building Sewer: Commissioner Brotherton stated that it will be around \$30,000 to install a septic tank at the proposed East Lincoln Recreation Building. Commissioner Brotherton said that he speculated that the property was probably within 1000 feet of the sewer line, it's about 700 feet to the property line. Jack Chandler and Doug Chapman prepared two estimates for extending sewer. For a 3" low pressure sewer line, the total estimated cost would be \$17,685. There are some negatives of using this system. The other option is an 8" gravity sewer system, which is around \$58,440. Commissioner Brotherton stated that he believes that the 3" low-pressure system would be cheaper than a septic tank. Commissioner Brotherton stated that he would like to see the Board take action to employ an engineer to do the design work for the low-pressure system.

Commissioner Waters stated that the gravity sewer could encourage more people to hook on.

There was a discussion concerning annexation of the property into the Sewer District.

Commissioner Waters stated that he would suggest going with the pressurized line.

UPON MOTION by Commissioner Waters, the Board voted unanimously to employ an engineer to work with the architect on the project, to design the 3" low-pressure sewer system. Unanimously approved.

The Board left the decision of which engineer to use up to the County Manager.

Resolution for Clean Water Management Trust Fund: Erma Deen Hoyle stated that the City of Gastonia has purchased the Water's Edge property that had been scheduled for development in the Mountain Island Watershed. They are making application to the North Carolina Clean Water Management Trust Fund for \$300,000 to support the establishment and initial funding of a stewardship and endowment fund to monitor and enforce conservation easements held by the Catawba Lands Conservancy on lands within the watershed of Mountain Island Lake. She presented the following Resolution to the Board, which would be an endorsement of the City of Gastonia's application to the Clean Water Management Fund.

RESOLUTION

URGING THE GASTONIA CITY COUNCIL TO MAKE APPLICATION TO THE NORTH CAROLINA CLEAN WATER MANAGEMENT TRUST FUND FOR \$300,000 TO SUPPORT THE ESTABLISHMENT AND INITIAL FUNDING OF A STEWARDSHIP AND ENDOWMENT FUND TO MONITOR AND ENFORCE CONSERVATION EASEMENTS HELD BY THE CATAWBA LANDS CONSERVANCY ON LANDS WITHIN THE WATERSHED ON MOUNTAIN ISLAND LAKE.

WHEREAS, in March of 1998 the Clean Water Management Trust Fund made a grant of \$6.1 million to the Centralina Council of Governments for the acquisition of 1,231 acres of land in Gaston and Lincoln Counties within the watershed of Mountain Island Lake; and

WHEREAS, in October of 1998, using a portion of the grant from the Clean Water Management Trust Fund, Lincoln County took title to 244.71 acres of said watershed land for the primary purpose of protecting the region's drinking water supply; and

WHEREAS, Lincoln County wishes to further the protection of said tract by donating a conservation easement to the Catawba Lands Conservancy, a qualified conservation organization; and

WHEREAS, the Catawba Lands Conservancy, as grantee of conservation easements on lands within the Mountain Island Lake watershed, requires a stewardship and endowment fund to support the monitoring and enforcement of said easements; and

WHEREAS, the Gastonia City Council is willing to include in its grant application to Clean Water Management Fund for a grant for a conservation easement on the Water's Edge property, a request that the Clean Water Management Fund contribute \$300,000 in initial funding towards the establishment of the Mountain Island Lake Stewardship and Endowment Fund.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that:

1. Lincoln County endorses the City of Gastonia's application to the North Carolina Clean Water Management Trust Fund for \$300,000 to support the establishment and initial funding of a stewardship and endowment fund to monitor and enforce conservation easements held by the Catawba Lands Conservancy on lands within the watershed of Mountain Island Lake;
2. Upon the establishment of the Mountain Island Lake Stewardship and Endowment Fund with enough funds to enable the Catawba Lands Conservancy to adequately monitor and enforce a conservation easement on the 244.71 acres owned by Lincoln County within the watershed, Lincoln County will donate said conservation easement to the Catawba Lands Conservancy.
3. The County Attorney is authorized to draft and review any and all necessary documents, and the County Manager is authorized to execute said documents.

Erma Deen Hoyle stated that they have been assured that by doing this it would not effect the status of the State Education Forest. She stated that this could be a clause that could be added to the Resolution.

Commissioner Brotherton stated concerns about them eventually coming back needing more money, when the \$300,000 runs out. He also stated that Gaston County did nothing to help Lincoln County with a much-needed four-lane Highway 16 through a portion of this property. He stated that until they go back and readdress that situation, he is not interested in voting for anything concerning this land.

Erma Deen Hoyle stated that the City of Gastonia is making the application, not Gaston County.

Chairman Hallman asked if time was of the essence on this matter.

Erma Deen Hoyle stated that the application is due December 1, 1999.

Chairman Hallman stated that he would like to give the County Attorney the opportunity to add the following clauses: 1 – This would in no way stand in the way of the Forest Service establishing an Educational Forest on this property; 2 – No future monetary obligation from Lincoln County; 3 – Easement could only be transferable back to Lincoln County.

Chairman Hallman stated that this item will be deferred until Monday, November 29 at 5:30 PM.

Chairman Hallman stated that this would also give Gaston County some time to rethink the property for the new Highway 16.

Request for Out of State Training for EMS – Bill Ward: Bill Ward presented the following request for Out of State Training for EMS.

The NC Office of EMS is requiring all EMS personnel and Agencies to obtain a minimum of 12 hours of 12-Lead EKG Training beginning 1/1/2000. The instructor pool for this training is basically empty for this type of training in North Carolina and Instructors will have to be paid and brought in from other areas to do this training.

I am requesting permission for Stacey Tanner, EMS Training Officer to attend an Instructor Training Course in 12-Lead EKG in Atlanta, Georgia on December 8 & 9, 1999. The cost of the seminar is \$350.00 and motel/meals approximately \$300.00. Travel will be by county vehicle.

We are currently in the process of becoming certified as our own training institution. This will benefit us in several ways. Also, once Stacey is certified to teach in this area, it is possible that Lincoln County EMS could hold classes in this area and charge students from other areas for the training, and supplement the training/operating budget.

Chairman Hallman asked if the training could not be obtained in the state.

Bill Ward stated that the manufacturers of the equipment are doing the training. It is only being done regionally nationwide.

UPON MOTION by Commissioner Waters, the Board voted unanimously to approve the request for out of state training for Stacey Tanner, EMS Training Officer to attend an Instructor Training Course in 12-Lead EKG in Atlanta, Georgia on December 8 & 9, 1999.

Vacancies: Commissioner Saine presented the following Vacancies.

Lincoln County Child Protection Team 1

Nursing and Adult Care Home Community Advisory Committee 5
Planning Board – Lincoln Township 1

Appointments: UPON MOTION by Commissioner Saine, the Board approved the following appointments and reappointments.

Board of Equalization and Review Chairman

- Elliott Loftin

Lincoln County Council on Aging – Regular Appointments

- Steve Harkey
- Cecilia Deese
- Nita Bandy

The two following two appointments could be made staff positions without term limits per Erma Deen Hoyle, as are Karen Gregory from Lincoln County Home Health, Susan McCracken, Social Service Director, and Melinda Houser from the NC Cooperative Extension.

- Joe Morgan, Lincoln Counseling Center
- Erma Deen Hoyle, Lincoln County Senior Services

Term limits for the following need to be extended to 06/30/00 to get all appointments in line according to a change in the Council on Aging's Bylaws:

- Rev. Donald Willis
- Bobbie Warlick
- Jan Jones

The following need to be reappointed to the Council on Aging:

- Clara Nell Brendle
- Edith Lomax
- Leroy Magness
- Rev. Ron Haithcock

Calendar: Chairman Hallman presented the Board calendar for December, 1999.

County Commissioners' Report:

Commissioner Saine stated that there are some issues that have arisen since the last meeting regarding the vote on the Resolution Related to the Issuance of School Bonds for the County of Lincoln, North Carolina. Commissioner Saine stated that she hates to raise a fuss, and to call up technicalities, however ever since the last election all that she's heard from the other side is that the Board needs to make sure everything they do is above board and within their rules. She stated that she could not agree more. At the last

meeting, the Issuance of School Bonds was reconsidered. It was her understanding, and according to the Board's minutes, the Resolution had already been considered by this Board. It failed because it did not have a sufficient number to gain majority. Commissioner Saine stated that everyone on the Board has agreed to abide by the Board's Rules and Robert's Rules of Order. Robert's Rules of Order states that in order to consider a failed motion, the maker of the motion must have voted with the prevailing side of the original vote. Since it was defeated, due to the lack of a sufficient majority to pass, the motion could be only be reconsidered by a member of the Board who had voted on the prevailing side. Since Commissioner Gamble was absent for the original vote, he would not be eligible to make the motion to reconsider. Commissioner Saine stated that there are two things that really disturb her regarding this issue. One, the Board could go on indefinitely reconsidering votes if someone on the Board is absent from the meeting. Second, when this Board considers full time tax increases, it should be done by a full time Board.

Jeff Taylor, County Attorney, apologized for not giving better advice when this was brought up. He stated that Robert's Rules of Order says that anything that does not pass fails. He stated that he called Bond Council the morning after the last meeting to find out where this left the Board, since it was under questioning circumstances. The vote on the Resolution is not required by the Bond Act, but is something that the Local Government Commission looks for when reviewing the application. Mr. Taylor stated that the Bond Council said that it probably was not fatal to move on as it is, but that it would probably be good to fix it if the Board could. He stated that at this point, someone could make a motion to suspend the rules, and then a motion to reconsider.

Commissioner Brotherton stated that he believes a referendum should be held in May, because it would save the taxpayers a lot of money.

County Manager's Report:

Stan Kiser, County Manager, introduced Barry Matherly, EDA Director.

Stan Kiser, County Manager, presented the revised Lincoln County Substance Abuse Policy. It was prepared by James Lester at the Centralina Council of Government. He stated that basically Mr. Lester has made revisions as recommended and approved by Kelly Blackwell of the North Carolina Department of Transportation. The changes in the policy are underlined. This change requires Board of Commissioners approval. After it is approved, the employees in the safety sensitive positions will be required to sign that they have received a copy.

Stan Kiser, County Manager, presented the Proposed Schedule of Meetings for January – June, 2000.

**NOTICE
LINCOLN COUNTY
BOARD OF COMMISSIONERS**

2000 MEETING SCHEDULE

Tuesday, January 4, 2000

- **5:30 P.M. Public Hearings – Zoning**
- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, January 17, 2000

- **5:30 P.M. Regular Meeting**

Monday, February 7, 2000

- **5:30 P.M. Public Hearings – Zoning**
- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, February 21, 2000

- **5:30 P.M. Regular Meeting**

Monday, March 6, 2000

- **5:30 P.M. Public Hearing - Zoning**
- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, March 20, 2000

- **5:30 P.M. East Lincoln County Water & Sewer District**
- **6:00 P.M. Regular Meeting**

Monday, April 3, 2000

- **5:30 P.M. Public Hearing - Zoning**
- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, April 17, 2000

- **5:30 P.M. Regular Meeting**

Monday, May 1, 2000

- **5:30 P.M. Public Hearings – Zoning**

- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, May 15, 2000

- **5:30 P.M. Regular Meeting**

Monday, June 5, 2000

- **5:30 P.M. Public Hearings – Zoning**
- **Board of Variance & Appeals (Following Public Hearing/Zoning)**
- **Regular Meeting**

Monday, June 19, 2000

- **5:30 P.M. East Lincoln County Water & Sewer District**
- **6:30 P.M. Regular Meeting**

Chairman Hallman stated that he would like the proposed meeting schedule placed on the next regular agenda.

Commissioner Waters stated that he knows for a fact that he will be out of the Country February, he asked if he would be imposing on anybody if he asked for the meeting to be changed. He asked for the Board to think about changing that date.

Stan Kiser stated that Commissioner Waters had asked for a summary budget, where we stand this far. He passed out copies of this summary budget to the Board.

Mr. Kiser stated that it has been brought to his attention that there are some departments that have parties at specific times of the year. There were complaints about one department having a Halloween party. He stated that it may be necessary to come up with some type of policy to limit the amount of time that a department can take off for special events.

Other Business: Commissioner Brotherton stated that Tim Dellinger's Landfill has been ongoing problem for around a year. He stated that he is not accusing Mr. Dellinger of anything, there needs to be verification that he continues to dump there. If it is verified, and it's obvious that the Board's authority is only a \$50 a day fine, it's time to take other actions available.

UPON MOTION by Commissioner Brotherton, the Board voted unanimously to instruct County Attorney Jeff Taylor to take whatever action is necessary to pursue this through the Court System.

Jeff Taylor, County Attorney stated that this has been a long process, partly because they have been working with the State on this. He stated that it seemed pointless for the County to get involved while the State was working on it. He stated that there is no other option right now, but to seek the assistance of a Superior Court Judge.

Jeff Taylor, County Attorney stated that the State and the Health Department have checked it out, and have not found contamination problems. He stated that Mary Scercy should be invited to participate, and allowed to testify.

Commissioner Brotherton stated that the Fire Marshal situation bothers him. He stated that he is curious as to how much county time he has spent the last two weeks trying to gather his troops to converge on the Board. He stated that he firmly supports that anyone has the right to do as they so desire on their own time, but this Board made a decision. He stated that he does not think it's in the Fire Marshal's job description to work against decisions of this Board on county time. He stated that he does not want to see this continue. Commissioner Brotherton stated that if the Fire Marshal does not like the actions of this Board, filing begins January 2, and he get elected and make decisions. He stated that he does not approve of the Fire Marshal out brow beating the Commissioners on county time when he should be doing his Fire Marshal job. Commissioner Brotherton stated that he would like to see the Fire Marshal preparing a daily log of what he performs, his duties each day, to be turned into Stan Kiser, County Manager, weekly.

Recess: **UPON MOTION** by Commissioner Waters, the Board voted unanimously to recess until November 29, 1999 at 5:30 PM.

Amy S. Long, Clerk
Board of Commissioners

James A. Hallman, Chairman
Board of Commissioners