

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, JANUARY 24, 2005

The Lincoln County Board of County Commissioners met in regular session on January 24, 2005 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Thomas R. Anderson, PE, Chairman
Carrol D. Mitchem, Vice Chairman
James Buddy Funderburk
Marie Moore
Alex E. Patton

Others Present:

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

Call to Order: Chairman Anderson called the January 24, 2005 meeting of the Lincoln County Board of Commissioners to order.

Rev. Linda Stack Morgan of Messiah United Methodist Church gave the Invocation and Commissioner Funderburk led in the Pledge of Allegiance.

Adoption of Agenda: Chairman Anderson presented the agenda for the Board's approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to adopt the agenda adding Item 16a – Courthouse Security Issues.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

JANUARY 24, 2005

	6:30 PM	Call to Order
1.	6:31 PM	Adoption of Agenda
2.	6:32 PM	Approval of Minutes - January 3, 2005
3.	6:35 PM	Consent Agenda

- Resolution to Approve Waiver of Bidding Requirements for Purchase and Replacement of Computer Hardware and Software
- Budget Adjustments 47 – 49
- Waived Fees
 - National Guard Homecoming Ceremony
 - Rotary Auction
- Sponsored Group Status
 - T & T Investments (religious meeting)
 - Chamber of Commerce
- Tax Requests for Refunds – December 28 – January 9, 2005
- Tax Requests for Releases – November 16 – December 15, 2004
- Letter of Credit No. 39

4. 6:40 PM Public Hearing – Incentive Grant Agreement – Australian Manufacturing, Inc.

5. 6:50 PM Public Comments

6. 7:05 PM Storm Ready Recognition – Vince DiCarlo, National Weather Service

7. 7:15 PM Planning Board Recommendations

- SOA #24 Lincoln County, applicant
- ZMA #489 Tony Cloninger Jr., applicant
- ZMA #490 Perry Tripp, applicant
- ZTA #491 Lincoln County, applicant

8. 7:30 PM CMAQ Funding – Brad Dyer

9. 7:40 PM Joint Proclamation of the Lincolnton City Council and the Lincoln County Commissioners – A Salute to Our Troops

10. 7:50 PM Coordinated Transportation System – Erma Deen Hoyle

11. 8:00 PM Funding for Athletic Projects at East Lincoln High School – Erma Deen Hoyle

12. 8:10 PM LNRC Annual Report and Request for Bylaw Change – Sylvia Wallace

13. 8:20 PM Request from Denver Fire Department

14. 8:30 PM Westport Water Line Replacement – Steve Gilbert

15. 8:40 PM Rock Dam Elementary School – Sewer Alternatives – Steve

Gilbert

16.	8:50 PM	Public Works Capital Project Reports – Steve Gilbert
17.	9:00 PM	Finance Officer's Report
18.	9:05 PM	County Manager's Report
19.	9:10 PM	County Commissioners' Report
20.	9:15 PM	County Attorney's Report
21.	9:20 PM	Vacancies/Appointments
22.	9:25 PM	Calendar
23.	9:30 PM	Other Business

Adjourn

Approval of Minutes – January 3, 2005: Chairman Anderson presented the minutes of the January 3, 2005 meeting for approval.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the January 3, 2005 minutes as amended.

Consent Agenda: **UPON MOTION** by Commissioner Funderburk, the Board voted unanimously to approve the consent agenda as presented.

**RESOLUTION TO APPROVE WAIVER OF
BIDDING REQUIREMENTS FOR PURCHASE AND REPLACEMENT OF
COMPUTER HARDWARE AND SOFTWARE**

WHEREAS, Lincoln County has a need to purchase and replace computer hardware and software to support integration between 911 Emergency Communications Dispatch, the Sheriff's Office Records Management System, and Detention Management; and

WHEREAS, within the 12 months previous to the date of this resolution, Caldwell County, North Carolina, a political subdivision of the state of North Carolina, after receiving public, formal bids in a process substantially similar to that required by Article 8 of Chapter 143 of the North Carolina General Statutes, approved the purchase and replacement of computer hardware and software in a substantially similar package from Sungard OSSi of High Point, North Carolina; and

WHEREAS, Sungard OSSi is willing to make available to Lincoln County the same or better pricing as the contract approved by Caldwell County, North Carolina; and

WHEREAS, N. C. G. S. 143-129 allows a local government to “piggyback” on a previous contract that was awarded through the formal bid process after a notice of intent to make such award has been published; and

WHEREAS, such notice of intent was published in the *Lincoln Times-News* at least 10 days prior to the date of this resolution;

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

1. That it is in the best interest of Lincoln County to waive the requirements of Article 8 of Chapter 143 of the North Carolina General Statutes for the purchase and replacement of computer hardware and software to support integration between 911 Emergency Communications Dispatch, the Sheriff’s Office Records Management System, and Detention Management on the terms outlined herein.

2. That the purchase and replacement of computer hardware and software from Sungard OSSi in the amount of \$745,048 is hereby approved as authorized by N. C. G. S. 143-129.

Adopted this 24th day of January, 2005.

LINCOLN COUNTY

By: _____
Thomas R. Anderson
Chairman, Board of Commissioners

ATTEST:

Amy S. Long, Clerk to the
Board of Commissioners

Budget Adjustment No. 47 for Emergency Management to budget for Homeland Security Part II Grant.

Budget Adjustment No. 48 to carry over balance of Economic Development Funds in General Fund from 6/30/04 and budget CIP to be available for projects.

Budget Adjustment 49 for Elections for a grant received from State Board of Elections to upgrade Elections Office Technology – money received by State from Help America Vote Act – Washington, DC.

- Waived fees

- National Guard Homecoming Ceremony
- Rotary Auction
- Sponsored Group Status
 - T & T Investments (religious meeting)
 - Chamber of Commerce

Tax Requests for Refunds – December 28 – January 9, 2005

**LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
MOTOR VEHICLES**

PERIOD COVERED (December 28, 2004-January 09, 2005)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Speedling, Fred J.	2004	DFD	0147948	150.36
TOTAL				\$150.36

**TAX REQUESTS FOR RELEASES
NOVEMBER 16 – DECEMBER 15, 2004**

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Alvin Luther	2004	0179706	\$ 311.52
Baker, Elizabeth Grindstaff	2004	0172691	\$ 158.51
Brookshire, Gregory Dale	2004	0179691	\$ 163.79
Brown, Christina Childs	2004	0171028	\$ 241.08
Brown, Kelly Lorraine	2004	0178030	\$ 228.14
Cook, Keith P.	2004	0134838	\$ 116.27
Cudjoe, Nickie Recardo	2004	0176997	\$ 283.08
Eason, Jane Adele	1998	0137593	\$ 111.35
East Coast Petroleum Serv.	2004	0162841	\$ 126.07
Edwards Pipeline Co LLC	2004	0122908	\$ 121.55
Gerard, F. Cannito CPA PA	2004	0179401	\$ 170.05
Grigg, Donavon Duane	2003	0148278	\$ 148.68
Heavner, Nathan Lee	2004	0179603	\$ 100.30
Higgins, Joseph Harold	2004	0179727	\$ 222.20
Houser, Marshall D.	2003	0174284	\$ 168.74
Keener, Wayne Wilton	2004	0169765	\$ 183.17
Kellett, Jeffrey C.	2004	0109570	\$ 177.95

Laughlin, Angela Jones	1997	0121754	\$ 129.61
LJ Ventures Inc.	2004	0155509	\$ 126.12
May, John William	1999/03	0118306	\$ 180.35
Murphy, Michael Francis	2004	0154086	\$ 103.45
Rhoney, Stacey Sipe	2004	0179653	\$ 108.79
Robinson, Elizabeth			
Painter	2004	0169714	\$ 102.17
Saunders, Dwight Gordon	2004	0093693	\$ 100.78
Sifford, James C.	2004	19818	\$ 212.90
Sigmon, Shanna Carter	2004	0096158	\$ 142.75
Sisk, Carrie Ann	2004	0091262	\$ 111.22
Solmaz, Gungor M.	2004	20530	\$ 110.85
Trent, Lucille Barnhardt	2004	0165299	\$ 156.96
Whitener, Terry A.	2004	0141174	\$ 120.81
		TOTAL	\$ 4,739.21

NAME	YEAR	DIST	A/C NO	AMOUNT
Ablett, Ian	2004	ALFD	0141711	\$ 515.90
Bailey, Rita Self	1996/97	SFFD	0085398	\$ 131.42
Budget Blinds	2004	ELFD/ELSD	0179232	\$ 481.09
CEO Investment Properties	2001-04	ELFD	0135784	\$ 147.13
Coneybeer, Jack A.	2004	DFD	0137238	\$ 101.88
Crabtree, Chris	2004	ELFD/ELSD	0177651	\$ 320.95
Deal, Lisa Angela	2002/03	City	0156542	\$ 632.32
Howard Realty	2004	ELFD/ELSD	27080	\$ 566.39
Iveson, Sheila Louise	2004	N-321	0171989	\$ 182.99
Kistler, Pearlie S.	2004	Crouse	09835	\$ 147.40
Kuczmarski, Robert				
Chester	2004	ELFD/ELSD	0148896	\$ 125.16
Lazenby, Anthony	2000-02	N-321	0148196	\$ 380.59
Lunsford, Donald	1994-97	City	38242	\$ 384.14
Monroe, Michael	2001	ELFD/ELSD	0154601	\$ 148.39
Moss, Stephanie	1996/97	N-321	0110999	\$ 281.74
Mutter, John	2004	ELFD/ELSD	0123286	\$ 562.65
Novosel, Reid Edward	1994-97	BCFD	36875	\$ 321.09
Oldham, J. Phillip	1994-97	N-321	40398	\$ 300.63
Pic N Pay Stores Inc.	2000	City	25790	\$ 249.35
Pierce, Pat E.	1994-97	City	20115	\$ 339.28
Pierce, Robert	1994-97	PCFD	46503	\$ 456.83
Reid, Charles Neely Jr	2004	ELFD/ELSD	35232	\$ 469.88
Robert Bosch Tool Corp	2003	SFFD	0165417	\$ 160.42
Schrader, John Wesley	1994-97	DFD/ELSD	36079	\$ 288.97
Vermont American Tool Co.	1999-02	SFFD	26215	\$ 1,672.56
Watson, Danny E.	2004	City	0119783	\$ 1,579.91

NAME	YEAR	A/C NO	TOTAL AMOUNT
Alexander, William Dean	2004	0109876	\$ 57.22
Alspaugh, Rodney Edward	2004	0153352	\$ 13.62
Arreola, Francisco	2004	0145091	\$ 23.30
Ballard, Judy Barger	2004	0179372	\$ 28.14
Bazzie, Jeffrey Scott	2004	0142858	\$ 17.81
Beck, Rhonda L.	2002	41153	\$ 6.70
Bennes, David Francis	2004	0169296	\$ 3.18
Black, Jessica Leigh	2004	0169730	\$ 76.40
Blankenship, Bennett Lee	2004	0179443	\$ 18.06
Bollinger, Gregory Mark	2004	0150752	\$ 47.84
Boulanger, Brenna Paulette	2004	0127408	\$ 37.99
Bradshaw, Ricky Dale	2004	0154137	\$ 23.96
Bridges, Chad Eugene	2004	0113885	\$ 13.62
Bridges, Franklin Graham	2003	0089511	\$ 26.43
Brown, Sararesia Long	2004	0153555	\$ 13.78
Caccia, Robert Waldemar	2004	0075448	\$ 15.00
Campagna, Leonard C.	2004	0159090	\$ 30.17
Campbell, Audy Boyd	2004	0080598	\$ 24.63
Campbell, Brian George	2004	0167878	\$ 44.72
Campo, Gladys Horne	2003	0140985	\$ 8.51
Cap, William M.	2004	0117164	\$ 34.78
Carlin, Christine Avella	2004	0165862	\$ 21.26
Carswell, Bobby R.	2004	41765	\$ 50.17
Carver, Treasure Renee	2004	0177883	\$ 17.80
Chaney, James Marion Jr.	2004	0069599	\$ 13.61
Cline, Donald Lee	2002/03	0165669	\$ 58.16
Cochran, Randall J.	2004	0149725	\$ 3.04
Connect Services Inc.	2004	0143746	\$ 15.98
Conney, Ruth Marie	2004	0169892	\$ 8.21
Cooper, Scott P.	2002	0133223	\$ 63.92
Corriher, Allen Arthur	2002	0134435	\$ 6.70
Dan's Superette	2004	0147056	\$ 52.85
Davis, Steven Lawrence	2004	0106657	\$ 3.84
Davis, Victor L.	2004	0150108	\$ 61.89
Dedmon, Billy Joe	2004	0065167	\$ 33.10
Dellinger Building Supply	2004	24754	\$ 5.05
Dyke, Shannon Marie	2004	0130294	\$ 46.34
Eastridge, Daniel Cecil	2004	0083240	\$ 10.03
Edmondson, Terry			
Lawrence	2004	0164880	\$ 2.34
Edwards, Donald Francis	2004	0075243	\$ 38.38

Edwards, James Allen	2004	0178525	\$ 87.08
Edwards, Teresa Lynn	2004	0178568	\$ 45.78
Ennis, Jerry James	2004	0108813	\$ 29.49
Farley, Charlotte Marie	2004	0178964	\$ 46.25
Finger, Willie Ray	2004	0098401	\$ 1.79
Fite, Ricky Darryl	2004	0073219	\$ 43.05
Fleming, Ernest Floyd	2004	0079280	\$ 8.95
Florian, Rafael Enrique	2003	0160605	\$ 44.25
Foreman, Christopher Eugene	2004	0147900	\$ 35.73
Fullerton, Vernon John	2004	0139156	\$ 16.42
Garrison, Audrey Jeffcoat	2004	0159021	\$ 11.43
Gee, Sharon Setzer	2004	0178850	\$ 33.71
Gilbert, Larry	2004	36104	\$ 19.69
Gordon, Heather Dawn	2004	0169890	\$ 26.99
Green, Merle Hobart III	2004	0179184	\$ 7.87
Gunn, Charles Angus Jr.	2004	0158033	\$ 3.54
Guzman, Antonio Dillanes	2003	0156847	\$ 41.78
Hall, Joel Rex	1999	0111567	\$ 6.03
Hallman, Robert Anthony Sr.	2004	0099308	\$ 34.59
Hannon, Patricia Lee	2004	0178116	\$ 27.96
Harrelson, Robbie Dale	2004	0141799	\$ 3.82
Harris, Suzanne Watkins	2004	0092182	\$ 73.58
Heafner, Frank Benson	2004	0179425	\$ 51.59
Hidalgo, Melissa Corella	2004	0178130	\$ 19.85
Hirsham, Gordon Robert	2004	0112224	\$ 22.31
Houser, Dan Nester III	2004	0161615	\$ 41.72
Hoyle, James Hugh	2004	02802	\$ 33.59
Hughes, Christopher Mark	2003	0169738	\$ 48.44
Hull, Terry L.	2004	0064473	\$ 37.99
Hutchings, Richard Patterson	2004	0179446	\$ 30.41
Jacic, Rijad	2004	0104902	\$ 27.50
Jennings, Deborah Lambert	2004	0179400	\$ 61.77
Jimenez, Gerardo Angulo	2004	0150721	\$ 19.68
Jones, Anna Maria	2004	0178060	\$ 73.13
Jones, Nancy Whitener	2004	0161525	\$ 6.70
Kaiser, Michael James	2004	0161573	\$ 25.04
Kiser, F. W.	2004	03453	\$ 52.63
Lail Electric	2004	0079650	\$ 68.31
Lail, Terry Eugene	2001	0094219	\$ 8.09
Ledford, Linda McNeely	2004	0177571	\$ 39.33
Lee, Mark R.	2004	0136464	\$ 11.03
Leonard, Betty Yount	2004	0092609	\$ 8.10

Lewis, Trevor O.	2004	0177465	\$ 39.25
Lincoln Septic Service Inc.	2004	0178139	\$ 3.53
Lineberger, Bobby Brad	2004	0071081	\$ 40.50
Lovelace, Bobby C.	2004	10877	\$ 46.64
Lovin, Benjamin Dean	2004	0176898	\$ 5.90
Lutz, Tina Havner	2004	0128587	\$ 16.35
Macgillis, Judith Reinhard	2004	0147230	\$ 8.88
Maloy, Pharis Yvonne	2004	0179318	\$ 96.41
Martin, Kelly Freeman	1994	0105374	\$ 12.76
Mauney, Ronald James	2004	0134483	\$ 63.13
McHenry, Gary M. & Susan	2004	16999	\$ 5.07
Milligan, Bruce	2004	0168181	\$ 94.14
Millsap, Jason Marvin	2004	0145626	\$ 28.95
Monroe Roadways Inc.	2004	0165871	\$ 38.16
Morrison, Jennifer Nicole	2004	0174884	\$ 23.52
Morrison, Jim Ernest	2003/04	0066853	\$ 16.28
Mull, Nelson Eddie	2001	0070883	\$ 60.24
Nixon, William Brian	2004	0117180	\$ 19.41
Nolen, Frank James	1993/96	0094090	\$ 82.70
Parker, Gary Alan	1999	0082252	\$ 80.35
Parris, Steven D.	2004	0103809	\$ 14.05
Payne, Ernest R. Sr.	2004	0138747	\$ 2.81
Pentecost, Thomas	2004	0117698	\$ 36.04
Philemon, Stephen Todd	2004	0114061	\$ 68.30
Poole, Donald Dean	2004	13915	\$ 6.00
Powell, Perry David	2004	0073445	\$ 3.28
Price, Geno Richard	2004	0096392	\$ 15.12
Propst, Douglas Drew	1998	0132144	\$ 32.44
Reeves, Ashley Godfrey	2004	0154203	\$ 24.35
Reeves, Misty Dawn	2004	0162074	\$ 17.78
Reiser, Marcus Ross	2004	0179640	\$ 96.96
Reynolds, Glenn W.	2004	08928	\$ 9.26
Reynolds, Margaret			
Ralphine	2003	0088937	\$ 5.36
Rhoney, Ralph Ray	2004	0104421	\$ 24.28
Ritchie, Donald Glenn	2004	15145	\$ 4.08
Roark, Deborah Kay	2004	0082021	\$ 5.24
Robinson, Kimberly Marie	2003	0173799	\$ 12.69
Rodriguez, Rodolfo	2002	0144773	\$ 76.11
Rogers, Phillip Larry	2004	0141918	\$ 18.14
Rudisill, Martha Heafner	2004	0138504	\$ 17.93
Sanders, William Allen	2004	0139567	\$ 47.92
Secrest, Judith Ogles	2003	0171513	\$ 30.32
Seiler, Michael Arthur Jr.	2004	0178855	\$ 2.36

Showcase Deck Care	2004	0135202	\$ 6.27
Siler Enterprises	2004	0125825	\$ 15.53
Sims, Barry William	2003	0171919	\$ 57.07
Sladek, Gerard Robert	2004	0163407	\$ 30.89
Soden, Gary William	2004	0161181	\$ 89.29
Springer, William Preston III	2004	0171259	\$ 4.35
Steed, Shelly Lynn	2004	0162158	\$ 13.94
Steele, Shasta Beam	2004	0103688	\$ 32.19
Stroupe, Daniel Richard	2003	0070020	\$ 7.14
Taylor, James Brian	2004	0179429	\$ 15.19
Timpe, Amber Nicole	2004	0149943	\$ 10.17
Trawick, Mack Milton Jr.	2004	0065883	\$ 49.02
Walker, Clyde William Jr.	2004	0069907	\$ 12.41
Walker, Johnny Keith	2004	0105246	\$ 34.90
Ward, Cynthia Rucker	2000	0093898	\$ 3.75
Ward, Mary Hartsoe	2004	0151176	\$ 61.97
Weber, Geoffrey Brian	2004	0178496	\$ 87.68
Whitlow, Robert Allen	2004	0150522	\$ 13.21
Williams, Anita Smith	2004	0130928	\$ 13.53
Wilson, William Mason	2003	0152111	\$ 12.65
Wood, Michael R.	2004	0149805	\$ 69.83
Workman, Jerry Robert Jr.	2004	0179479	\$ 29.14
Yarber Inc.	2004	0079277	\$ 32.20
Young, Ray E.	2004	22123	\$ 1.21
Yount, Elizabeth Moody	2004	36774	\$ 9.38
Zamzow, John Charles	2004	0179289	\$ 11.45
		TOTAL	\$4,492.87

NAME	YEAR	A/C NO	AMOUNT
A M A	2004	0179940	\$ 52.41
Barkley, Jim	2004	0088464	\$ 6.46
Bauer, Rudolph F.	2004	0150117	\$ 42.14
Berrier, Joseph Ricky	2004	0133537	\$ 26.55
Blackwell, Juan	2004	0150437	\$ 20.31
Caldwell, Ronnie	1994	43068	\$ 78.33
Chewning, Randall W.	2004	0146133	\$ 11.08
Harlan, John Ralph	2004	0144378	\$ 5.26
Haulsee, Bobby	2002	0139948	\$ 34.38
Houser, Jamie Brian	2004	0114239	\$ 85.17
Hunter, Charles Clifton	2003/04	16669	\$ 94.73
Hurst, Robert W.	2004	18518	\$ 44.52
Meadows, Roy	2004	0108875	\$ 89.93
Parker, Billy & Connie	1994-97	11016	\$ 92.68

Reinhardt, F.Wilson	2004	20844	\$	13.17
Rhyne,Veronica J.	2003/04	0139804	\$	11.06
Rhythms Links Inc.	2001	0151215	\$	36.05
Sanchez, John	2004	0170140	\$	28.58
Spencer, Eric	2001	0154792	\$	47.33
Stroup, Herman C.	2004	11149	\$	69.00
Wright Bros. Tomato Co.	2004	26375	\$	69.00
		TOTAL	\$	958.14

Letter of Credit No. 39 for Smithstone Subdivision

Public Hearing – Incentive Grant Agreement – Australian Manufacturing, Inc.:

Barry Matherly stated that Australian Manufacturing, Inc. has developed plans for a new manufacturing facility in the Lincoln County Industrial Park. Within 2 years of the agreement, Australian Manufacturing will make an investment of \$4,100,000.00, of which \$3,470,000.00 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy. Australian Manufacturing will provide at least 16 new jobs paying average hourly wages of at least \$9.00 per hour.

The County will provide cash grants to Australian Manufacturing of \$13,984.10 per year for a five-year period.

Chairman Anderson opened the public hearing concerning the Incentive Grant for Australian Manufacturing.

Being no one wishing to speak, Chairman Anderson declared the public hearing closed.

Chairman Anderson thanked Barry Matherly and his staff for their hard work.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the Incentive Grant Agreement with Australian Manufacturing, Inc.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH AUSTRALIAN MANUFACTURING, INC.
and TKC LXXI, LLC.**

WHEREAS, the Lincoln County Board of Commissioners verily believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development within Lincoln County through the recruitment of new industries to the County and the expansion of existing industries in the County; and

WHEREAS, Australian Manufacturing, Inc.. and TKC LXXI, LLC. have developed plans for a new manufacturing facility in Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to aid in such efforts;

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

1. The Lincoln County Board of Commissioners hereby approves the Lincoln County Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among Lincoln County, Australian Manufacturing, Inc. and TKC LXXI, LLC.

2. The Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of Lincoln County in order to effectuate this transaction.

3. This resolution shall become effective upon adoption.

This 24th day of January, 2005.

Thomas R. Anderson, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long, Clerk to the Board

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

Linda Stack Morgan thanked the Commissioners and those involved in the BFI Grants.

Being no additional speakers, Chairman Anderson declared the public comments section closed.

Storm Ready Recognition: Vince Dicarlo with the National Weather Service presented the County with a road sign declaring Lincoln as a Storm Ready County. He congratulated Susan Spake and Leroy Buff for their hard work in receiving this recognition.

Planning Board Recommendations:

Subdivision Ordinance Amendment No. 24 – Lincoln County, applicant: Brad Dyer, Land Use Coordinator, stated that the Planning Board voted 8 – 0 to recommend approval.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve Subdivision Ordinance Amendment No. 24 – Lincoln County, applicant.

Zoning Text Amendment No. 489 – Tony Cloninger, Jr., applicant: The Planning Board voted 8 – 0 to recommend approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve Zoning Map Amendment No. 489 – Tony Cloninger, Jr., applicant, based on the recommendation of the Planning Board.

Zoning Map Amendment No. 490 – Perry Tripp, applicant: The Planning Board voted 8 – 0 to recommend approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve Zoning Map Amendment No. 490 – Perry Tripp, applicant.

Zoning Text Amendment No. 491 – Lincoln County, applicant: The Planning Board voted 8 – 0 to recommend approval.

Commissioner Mitchem asked which roads the junked cars would be screened from.

Randy Hawkins stated that they must be screened from all public roads.

Commissioner Mitchem asked about shrubbery or trees as screening.

Randy Hawkins stated that staff would work with people who were wanting to use trees or shrubbery as screening to tell them what they would need to plant so that it would be pretty well screened from the start. He stated that he thinks the purpose of this was for people who already had trees or shrubbery.

Commissioner Mitchem voiced concerns that the cars must be screened from public roads, but in subdivisions, the cars can be in another person's back yard in plain view.

Commissioner Anderson stated that the Lincolnton-Lincoln County Chamber of Commerce has put their approval on this text.

Randy Hawkins stated that this proposal would not take effect until April to give people time to come into compliance.

A MOTION by Commissioner Moore to approve Zoning Text Amendment No. 491.

**VOTE: 4 – 1 AYES: Anderson, Funderburk, Moore, Patton
 NOES: Mitchem**

CMAQ Funding: Brad Dyer, Land Use Coordinator presented the following information concerning CMAQ funding.

As a member of the Lake Norman Regional Planning Organization (LNRPO), Lincoln County has been given the opportunity to receive funding from the Congestion Mitigation and Air Quality Improvement Program (CMAQ). Only jurisdictions that have been named as non-attainment areas by the Environmental Protection Agency are eligible for this funding. To be eligible for CMAQ funding, projects must help improve air quality and reduce vehicle emissions. Lincoln County along with Gaston County and a portion of South Iredell County were listed as non-attainment areas on June 15, 2004. All areas listed as non-attainment have one (1) year to devise a plan that will help reduce vehicle emissions and to improve air quality. These areas then must reach attainment status by 2010.

Lincoln County's proposed project involves the Express Bus Route from Denver to Charlotte. The proposal is to add a total of four trips, two outbound and two inbound trips. This will increase the trips as follows; two outbound trips in the morning as opposed to the one outbound trip that is presently running and two inbound trips from Charlotte back to Denver. The new proposed trips will increase rider ship by approximately 36 people per trip. This also equals to a reduction of thirty-six vehicle trips per day or 9,360 trips per year. There will be an approximate reduction of harmful emissions by 2,831,147 grams or 99,856.6 ounces per year which equals to 3.1 tons.

If the proposed project is approved by the Board and accepted by CMAQ, the funding would go as follows: CMAQ will fund 80% of the project each year for three years, Lincoln County will pay a 10% match and the Charlotte Area Transit Authority (CATS) will pay a 10% match. The table below shows a complete breakdown of the funding for the three year life span of the project.

Year	CMAQ 80%	Lincoln County 10%	CATS 10%	Total
2006	\$62,124.80	\$7,765.60	\$7,765.60	\$77,656.00
2007	\$64,516.60	\$8,064.60	\$8,064.60	\$80,646.00
2008	\$65,710.40	\$8,213.80	\$8,213.80	\$82,138.00

Commissioner Moore asked for rider ship for the existing trips.

Brad Dyer stated that there are approximately 17 people per trip.

UPON MOTION by Commissioner Moore, the Board voted unanimously to apply for CMAQ funding.

Joint Proclamation of the Lincolnton City Council and the Lincoln County Commissioners – A Salute to Our Troops: **UPON MOTION** by Commissioner Funderburk, the Board voted unanimously to approve the Proclamation.

LNRC Annual Report and Request for Bylaw Change: Sylvia Wallace, Chair of the Lincoln Natural Resources Committee, gave an annual report, detailing activities of LNRC. She also requested amending the bylaws to change a quorum to consist of six members. This is due to the fact that LNRC is so big, it is hard to achieve a quorum. By lowering this number, they will be able to maintain a large stakeholder group, but the committee will be allowed to be effective in conducting business.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to change Article VI of the Bylaws for LNRC.

Coordinated Transportation System: Erma Deen Hoyle and Karen Leonhardt presented the following information concerning a Coordinated Transportation System.

In the April 2004 decision by the Board of Commissioners, Lincoln County pledged to become a coordinated transportation system by July 2005. To meet this goal, several decisions must be made in the coming months. The Lincoln County Transportation Advisory Board (TAB) has been meeting to make recommendations to the Board for the type of service. Buddy Funderburk has served as Commissioner representative on this Board.

The basic types of service delivery options are outlined as follows:

1. County providing all service, routes for agencies as well as the call-in trips for individuals (currently provided for seniors, disabled, and Medicaid clients).
2. County contracts with a private provider for all services, (contract would be bid out a per mile or per trip cost).
3. Some combination of the two, at least for the first year or so of operation as a fully coordinated system.

It is the recommendation of the TAB that the combination would be best for the service delivery. The group supports Lincoln County Transportation System remaining under Senior Services, with the main office of the coordinator and dispatcher to be located on the first floor of the Senior Center.

The system would provide the subscription (or call-in trips) for Senior Services and the Health Department, as well as possibly provide the routes for Salem Industries and A Place to Grow. The subscription trips for Medicaid and other agencies could continue to be outsourced to private providers (cost would be bid out prior to July 2005 for rate for the 2005-2006 year). The County System could also transport these clients if space and time permits. These private providers would also be available to handle the “overflow” of any client the County System was unable to provide.

An alternative to this option would be to contract for all routes and to handle all subscriptions through the County System. The private providers would again be available to handle those clients unable to schedule with the County system.

Regardless of the option chosen, several points must be realized.

- The budget for transportation services will increase.
- New employees will be required (only 2 county employees are full-time drivers)
- Space to house the vehicles will be needed (18 vans in system)
- Vehicle maintenance and employee training will become critical components of the system's operation.

The change from a human service type of delivery for transportation, currently used by Lincoln County agencies to a fully coordinated system is the result of changes in funding guidelines from NC Department of Transportation (NCDOT). That State now combines the money it receives from the Federal Transit Authority (FTA) with state funds for the purchase of the vans and buses used by local systems, and for the administration funds given to these system for coordinators and other purposes. All systems must meet the FTA rules and regulations as well as any of the NCDOT. To remain eligible for the capital funding for the vans (90% is state and federal) and to receive any administration funding (85% is provided), Lincoln County must make the transition.

During discussions of service delivery at the TAB meetings, one problem situation has come to light. Under the new system, several agencies that are currently using the vans for service delivery will no longer be eligible. This change will dramatically impact their operation. The largest agency is Cooperative Extension. Presently, Cooperative Extension is using a state provided van for trips for their clubs and special programs. These trips are likely to be deemed as charter service under the new regulations and will be ineligible. The trips for Lincoln County Special Olympics, Leadership Lincoln, Services for the Blind, and Senior Services (for outings and tours) will also be ineligible. To address this need it is the TAB recommendation that Lincoln County purchase one van (using local dollars only) that can be scheduled by any County department or agency for this type of transportation.

Karen Leonhardt stated that Lincoln County is one of only two counties in the state that have not gone to a consolidated system. She stated that we need to be fully coordinated by July. She stated that the county needs to move on this, because they will be missing a lot of state and federal funds if it is not done.

Commissioner Moore stated that she would like to see more statistical information before voting on this. She asked Ms. Hoyle for information on vans we have now and the trips taken.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to accept the recommendation of the Transportation Advisory Board to use the combination for service delivery.

Funding for Athletic Projects at East Lincoln High: Erma Deen Hoyle stated that on November 15, 2004, the Lincoln County Recreation Commission requested special funding assistance for three community projects.

Approval was given for the three projects as follows:

North Lincoln High	\$20,000
West Lincoln Optimist	\$10,000
East Lincoln High	\$10,000

Todd Black, the principal of East Lincoln High, has asked if the funds allocated for East Lincoln's field house facility for the baseball/soccer fields could be used instead for renovation of another facility. This renovation is necessary due to the domino effect of construction plans for the new gymnasium for the school.

The Recreation Commission members were polled by phone to learn of any objections. The biggest concern was that the school be aware that additional funding for the original project may not be available.

Todd Black explained that East Lincoln High School would like to move around football practice fields and softball fields due to the construction plans for the new gymnasium. He stated that the band boosters and everyone at the school is in favor of this project. He stated that no one approached him about the project that money was awarded for. He stated that the field house is a want instead of a need, the football practice field is a need. He stated that some money may be available in the bond for renovations, but he is not sure.

Chairman Anderson called for a motion. No motion being made, Chairman Anderson announced that the request failed due to lack of a motion.

Request from Denver Fire Department Jay Flynn, Chief of Denver Fire Department, presented a request for use of land currently owned by the county for the construction of a satellite station. The location of the land is between the convenience site and water plant on Tree Farm Road. Tree Farm Road provides immediate access to Webb Road. The Denver Fire Department meets the requirements for a satellite station and no additional personnel or apparatus would be required at this time. The department services this area well presently and this additional facility is not required immediately but will ensure response time remains low.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve acquisition of property by the Denver Fire Department.

Commissioner Anderson asked the County Attorney to work out an agreement and bring it back to the board for approval.

Westport Water Line Replacement: Barry McKinnon stated that as he reported last fall, the repair rate of the water lines in the Westport neighborhood has reached an unacceptable level. Lines have been breaking at a rate of one per month over the last 18

months. These breaks cause considerable inconvenience to the residents of the area, as there are insufficient water valves to isolate repair areas without interrupting water service to a sizable portion of the neighborhood. There is also a need for additional fire hydrants to serve the area.

As a result of these problems, WK Dickson Engineers have prepared a written proposal with a plan for design and construction of the facilities that are needed in Westport. This proposal includes a plan for design and construction of the facilities that are needed in Westport. The scope of work includes installation of all new water lines, water valves and fire hydrants to comply with current standards. The funding of this project will come from the System Improvements line item in the Public Works budget, so the portion of the work that can be funded in any one year will be dependent upon other budget needs.

Mr. Gilbert recommended that the Board authorize an engineering services and design contract with WK Dickson in the amount \$104,000.

UPON MOTION by Commissioner Moore, the Board voted unanimously to approve the Engineering Contract for \$104,000.

Rock Dam Elementary School – Sewer Alternatives: Barry McKinnon stated that the Lincoln County School Board has included the providing of sewer service in the scope of work for the new elementary school that is to be built on Rock Dam Road. The School Board staff has requested that the County be responsible for operation and maintenance of the sewer facilities, and they have requested that the City of Lincolnton accept and treat the sewage coming from the school. The details of these requests are currently being worked out between the City, County, and School Board staff.

The Public Works Department was requested to investigate the various alternatives for providing this service to the school. The alternatives vary on cost, but there are certain advantages to be had in the more costly options. The positive aspects have to do with the number of adjacent citizens who would have the opportunity to connect with the sewer lines along the route. WK Dickson has prepared an analysis if the alternatives for this service, which is summarized below:

Option 1 – Pump Station at school, 3-inch force main to City Pump Station at Winn Dixie – Estimated cost = \$258,400. This is the least expensive option. Anyone connecting to this line would have to have a pump to make the connection.

Option 2 – Pump Station at school, 3-inch force main to intersection of NC 182, 8-inch gravity line to City Pump Station at Winn Dixie – Estimated Cost = \$430,200. Residents between NC 182 and Winn Dixie could make a gravity connection. All others would still need a pump to make the connection.

Option 3 – Gravity line from school to NC 27 at Rock Dam Creek, pump station at creek, 4-inch force main to intersection of NC 182, 8-inch gravity line to City Pump Station at Winn Dixie – Estimated Cost = \$810,500. The owner of the property at the creek has indicated he would donate land for the pump station. Residents on Rock Dam Road and adjacent to the creek on NC 27 could make a gravity connection. Residents between NC

182 and Winn Dixie could make a gravity connection. All others in between would need a pump to make the connection.

Option 1, as stated earlier would require anyone connecting to the line to have a pumped connection.

Going to Option 2, with a cost differential of nearly \$172,000, has the potential to pick up as many as 25 customers by gravity connections. If the extra cost is passed along, the share would be \$6,872 per connection, in addition to a minimum \$1,800 tap fee plus a capacity fee to be paid to the City, which would probably put the connection out of reach for most. These figures assume 100% participation, which is probably not likely.

Option 3 could gain as many as 30 more customers for gravity connections, but the cost differential here is \$552,100, which would put each share at nearly \$10,000, plus tap and capacity fees. These figures also assume 100% participation.

Two locations expressing considerable interest in connecting to the system are the Charter School on NC 27 and a restaurant at Hauss Road. Both of these are located such that they will need their own pump station regardless of which option is selected. If the school connects to the system, a larger force main will probably be needed from there, which has not been included in these costs.

There was a discussion as to the different options and costs associated with them.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to support the provision of public utilities to the school on Rock Dam Road and fund as necessary. (The decision as to the method of sewer service was not part of this motion.)

It was the consensus for this to be on the agenda for the Planning Retreat.

Capital Project Reports: Barry McKinnon presented Capital Project Reports for the Public Works Department.

Courthouse Security: Dennis Williams presented information concerning improvements that have already been made for Courthouse security. He stated that two quotes have been received for elevator conversion. One is for \$13,904 from Otis and the other is \$29,917 from Thyssen Krupps. If the proposal from Thyssen Krupps is accepted, fire alarms will have to be installed. Termite damage, as well as asbestos, have been found on the third floor of the courthouse. Another component is the rebuilding of the electrical service for the courthouse, for which a cost has not yet been determined.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve budgeting \$13,904 for elevator conversion by Otis.

Finance Officer's Report: Leon Harmon, Finance Officer, presented the budget performance report for December, 2004.

County Manager's Report: Stan Kiser presented the County Manager's Report.

County Commissioners' Report: Commissioner Funderburk reported on the Carolina Lands and Lakes meeting in which there were 5 representatives of Lincoln County.

County Attorney's Report: Jeff Taylor, County Attorney, reported on foreclosure activities. He also reported on the property purchases at the landfill.

Vacancies: Commissioner Funderburk presented the following vacancies and appointments.

VACANCIES

Nursing and Adult Care Home Community Advisory Committee 4

Recreation Commission –	Union 1	
	Howards Creek	1
	Lincolnton	1
	Ironton	2

Library Board

Lincolnton	1
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APPOINTMENTS

Board of Equalization and Review

- Reappoint Everette Heglar

Board of Adjustment

- Reappoint Larry Craig
- Reappoint Robert Nixon

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the appointments.

Other Business: Chairman Anderson presented information from the Legislative Goals Conference for the Board's information.

Adjourn: **UPON MOTION** by Commissioner Patton, the Board voted unanimously to Adjourn.

Amy S. Long, Clerk
Board of Commissioners

Thomas R. Anderson, PE, Chairman
Board of Commissioners