

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 27, 2003**

The Lincoln County Board of County Commissioners met in regular session on January 27, 2003 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman  
Larry S. Craig, Vice-Chairman  
Thomas R. Anderson, PE  
Carrol D. Mitchem  
Buddy Funderburk

Others Present:

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

**Call to Order:** Chairman Cochrane called the January 27, 2003 meeting of the Lincoln County Board of Commissioners to order and welcomed everyone present.

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

Chairman Cochrane stated that the Budget Adjustments should read 41 – 45 and Item number 7 will be a public hearing.

**A MOTION** by Commissioner Mitchem to defer appointments to the Planning Board until the next meeting to find out the status of the public hearing. Vote: 2 – 3 AYES: Funderburk, Mitchem NOES: Cochrane, Anderson, Craig.

**UPON MOTION** by Commissioner Funderburk, the Board voted 4 – 1 (Mitchem against) to adopt the agenda with Budget Adjustments 41 – 45 and adding Public Hearing to Item 7.

**AGENDA**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**JANUARY 27, 2003**

6:30 PM      Call to Order

6:31 PM      Invocation – Franklin Jones, First Presbyterian Church

- |     |         |  |
|-----|---------|--|
|     | 6:35 PM | Pledge of Allegiance   |
| 1.  | 6:36 PM | Adoption of Agenda   |
| 2.  | 6:40 PM | Approval of Minutes <ul style="list-style-type: none"><li>- December 10, 2002</li><li>- December 16, 2002</li><li>- January 6, 2003</li></ul>  |
| 3.  | 6:45 PM | Consent Agenda <ul style="list-style-type: none"><li>- Tax Requests for Releases<ul style="list-style-type: none"><li>Less than \$100 – November 16 – December 15, 2002</li><li>More than \$100 – November 16 – December 15, 2002</li></ul></li><li>- Tax Requests for Refunds<ul style="list-style-type: none"><li>Less than \$100 – November 12 – December 15, 2002</li><li>More than \$100 – November 12 – December 15, 2002</li></ul></li><li>- Budget Adjustments 41 – 43, 45</li><li>- Sponsored Group Status for Auditorium<ul style="list-style-type: none"><li>- Lincoln County Community Concert Association</li></ul></li><li>- Waived Fees<ul style="list-style-type: none"><li>- Rotary Club</li></ul></li><li>- Waived Fees or Sponsored Group Status<ul style="list-style-type: none"><li>- AME Zion Church</li></ul></li></ul> |
| 4.  | 6:50 PM | Public Comments  |
| 5.  | 7:05 PM | Recommendations from Planning Board – Randy Hawkins<br>ZMA #440 – Max Caldwell, Sr. and Max Caldwell, Jr., applicants<br>ZMA #441 – Gene Ross, applicant<br>ZMA #442 – Piedmont Companies, applicant<br>CUP #211 – Eleanor Wescott, applicant<br>ZTA #443 – Lincoln County, applicant  |
| 6.  | 7:30 PM | US 321 Corridor Study  |
| 7.  | 7:40 PM | Resolution to Amend Ordinance Reestablishing the County Planning Board   |
| 8.  | 7:50 PM | Proposed Ordinance and Agreement to Award a Franchise for the Operation of a Construction and Demolition Debris Landfill to BFI  |
| 9.  | 8:00 PM | Abandonment of Mac Lane – Tommy Richardson   |
| 10. | 8:10 PM | Special Separation Allowance – Audrey Setzer   |
| 11. | 8:20 PM | Report on Foreclosures – Madge Huffman   |
| 12. | 8:30 PM | Report from Forestry Service – Elizabeth Snyder  |

13. 8:40 PM Discussion Concerning Lawsuit Counties Have Against State
  14. 8:55 PM HIPAA Discussion – Joanie Belk, Mike Keller, Donna Courrier, Kathy Anthony
  15. 9:25 PM Finance Officer’s Report – Leon Harmon
  16. 9:35 PM Public Works Capital Improvement Report – Steve Gilbert
  17. 9:45 PM Resolution Concerning Low Interest Loans of Clean Water Funds - Steve Gilbert
  18. 9:55 PM Vacancies
  19. 10:00 PM Appointments
  20. 10:05 PM Calendar
  21. 10:10 PM County Commissioners’ Report
  22. 10:20 PM County Manager’s Report
  23. 10:30 PM County Attorney’s Report
  24. 10:40 PM Other Business
- Adjourn

**Approval of Minutes – December 10, 2002, December 16, 2002, January 6, 2003:**

Chairman Cochrane presented the minutes of the December 10, December 16 and January 6 meetings for the Board’s approval.

Chairman Cochrane stated that he had found a few typographical errors.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the minutes with the corrections made by Chairman Cochrane.

**Consent Agenda:** Commissioner Funderburk asked to defer the Releases and Refunds for clarification.

**Budget Adjustment No. 41 by the Sheriff’s Department to pay for digital camera equipment for new jail out of proper fund. (Previously check numbers 17352 & 17595 in General Fund.)**

**Budget Adjustment No. 42 by Finance to transfer additional capacity development collected prior to 6/30/02 to Water Capital Reserve Fund.**

**Budget Adjustment No. 43 by Social Services to increase expenditure and revenue line items for available funds to be used for emergency situations in domestic violence cases. (100% Federally funded – see attached funding authorization – received an allocation of \$6,531.**

**Budget Adjustment No. 44 by Social Services to show additional funds that were transferred to In-Home aide program from Office on Aging and revisions needed to reflect total FY 2003 funds (did not receive these amounts in time to insert on county budget forms when FY 2003 numbers were requested by county).**

**Budget Adjustment No. 45 by Social Services to increase expenditure and revenue line items for additional allocation of funds for Crisis Intervention Program (no county funds involved).**

**Sponsored Group Status**

- **Lincoln County Community Concert Association**
- **AME Zion Church**

**Waived Fees**

- **Rotary Club**

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Consent Agenda without the Releases and Refunds.

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

**Beth Saine** asked the Board to approve the proposal concerning the makeup of the Planning Board. She stated that the Planning Board is of the utmost importance.

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

**Recommendations from the Planning Board:** Randy Hawkins presented the following Planning Board's recommendations.

**Zoning Map Amendment No. 440 – Max Caldwell Sr. and Max Caldwell, Jr., applicants:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 - 0 to recommend approval.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the Planning Board's recommendation and approve Zoning Map Amendment No. 440 – Max Caldwell Sr. and Max Caldwell, Jr., applicants.

**Zoning Map Amendment No. 441 – Gene Ross, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 6 – 0 to recommend approval.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to accept the Planning Board's recommendation and approve Zoning Map Amendment No. 441 – Gene Ross, applicant.

**Zoning Map Amendment No. 442 – Piedmont Companies, applicant:** Randy Hawkins, Zoning Administrator stated that the Planning Board voted 4 – 3 to recommend approval.

**A MOTION** by Commissioner Craig to approve Zoning Map Amendment #442 based on the recommendation of the Planning Board.

Discussion:

Commissioner Anderson stated that the Planning Board obviously struggled with the decision on this. He stated that there were a number of people who spoke in opposition to this, but wonders if there is a clear understanding of what could be put on the property as it is zoned. He stated that he has spoken to one property owner who would rather it stay industrial than to have this development.

Commissioner Funderburk stated that he has spoken to a number of residents who realize that a business could operate on this property and would rather have the business than this development.

Commissioner Mitchem stated that he spoke to landowners who would rather it stay as it is. He stated that he is going to lean towards the wishes of the people.

Chairman Cochrane stated that one complaint was the traffic on Pete's Road. He stated that the applicant said there could possibly be another entrance on Grove Street. He asked if this could be a condition that was imposed.

Randy Hawkins stated that this is a straight rezoning so conditions cannot be placed.

Commissioner Mitchem stated that during the election time, people were saying you cannot stop growth. He stated that if the Board does not vote for this, it will slow down growth.

Commissioner Craig stated that the county is going to grow and the Board cannot shut the doors on progress. This development will only be stick built or modular homes. He stated that this landowner has owned the property for about ten years and has been unable

to sell it. He stated that the owner should be able to sell it and this is the only opportunity he's had.

**Vote: 1 – 4 AYES: Craig**

**NOES: Cochrane, Anderson, Funderburk, Mitchem**

**Conditional Use Permit No. 211 – Eleanor Wescott, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval

Application #      CUP #211                      Date    01/27/03

Applicant's Name      Eleanor Wescott  
                                 21328 Natique Blvd #303  
                                 Cornelius, NC 28031

Property location:      Perry Road and Squirrel Hill Lane

Existing Zoning:        R-SF

Proposed Conditional Use      private residential quarters

1.      The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES X NO \_\_  
Factual Reasons Cited: Nothing to endanger public
2.      The use meets all required conditions and specifications. YES X NO \_\_  
Factual Reasons Cited: Outward appearance in conformity with good looks and quality.
3.      The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES X NO \_\_  
Factual Reasons Cited: If done according to plan, will help value of adjoining property.
4.      The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES X NO \_\_  
Factual Reasons Cited: Plans call for house and garage with nice appearance, will add to neighborhood.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Planning Board's recommendation and findings of fact for Conditional Use Permit 211 – Eleanor Wescott, applicant.

**Zoning Text Amendment No. 443 – Lincoln County, applicant:** Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 – 0 to recommend approval with the following text added: **The Zoning Administrator shall have the authority to reduce the 100-foot front setback requirement by up to 50 percent if he determines that special circumstances make it impracticable to place the recreational vehicle in the side or rear yard.**

**UPON MOTION** by Commissioner Funderburk, the Board voted unanimously to accept the Planning Board's recommendation and approve Zoning Text Amendment No. 443 – Lincoln County, applicant.

**US 321 Corridor Study:** Randy Hawkins stated that the U.S. 321 Corridor Plan for Lincolnton and Lincoln County was developed by a committee that included property owners, business people and government representatives. It's intended to help guide development along the four-lane highway. The plan was adopted in 1999 by the Lincolnton City Council, but it hasn't been adopted by the Lincoln County Board of Commissioners.

The Plan includes recommendations on roads, public utilities and development regulations. The Lincoln County Planning Board recently reviewed the plan and voted 8 – 0 to recommend approval with the exception of certain items in the Highway Corridor Overlay District Regulations section and with two additions: Include "adult establishments" in the prohibited uses in the overlay district and require an 8-foot landscaped strip along the U.S. 321 right-of-way.

The Planning Board felt that property owners should be able to use the 100' setback for parking and felt that architectural regulations should not be included. This may hamper the county's ability to recruit business.

Approval of the plan would not change any current regulations. Any actual changes to the regulations would have to come back for a public hearing and be voted on by the board.

The Board discussed the 100' setback which is in the plan.

**A MOTION** by Commissioner Anderson to approve the US 321 Corridor Study as recommended by the Planning Board.

**AYES:** Anderson, Cochrane, Funderburk

**NOES:** Craig, Mitchem

**Public Hearing Concerning Resolution to Amend Ordinance Reestablishing the County Planning Board:** Chairman Cochrane opened the public hearing concerning the Resolution to Amend the Ordinance Reestablishing the County Planning Board.

**Betty Lawing** stated that Commissioner Funderburk's proposal is very good. She stated that the most populated areas should have a larger number of people on the Planning Board.

**Bill Garner** stated that he supports the amendment.

**Delaine Davis** asked the Board to go along with Commissioner Funderburk's proposal of 2 members per township for the Planning Board.

**Jim Hallman** read a statement in favor of the proposed revision.

**Steve Isaac** asked the Board to take into consideration what's best for Lincoln County. He spoke in favor of the request.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

**A MOTION** by Commissioner Funderburk to approve the Resolution.

Discussion:

Chairman Cochrane stated that Ms. Lawing's comments were that it be based on population, which is completely different than what was proposed.

Commissioner Anderson stated that as the Planning Board is currently comprised, there are 5 members, one from each township and four at large. He stated that if the Board makes a change of this type, they are making a change that is not consistent with the definition of at-large and he is concerned with this. Commissioner Anderson stated that this policy was put in place before he came on this Board. There have been problems getting people to serve on this and other boards. It would be possible to have seats that could not be filled due to restricted at-large membership.

Commissioner Craig stated that being Appointment Coordinator, it is difficult in some instances to find people to serve on various boards. He stated that he does not see it necessary to change it.

Jeff Taylor stated that from a legal standpoint the changes are ok.

**Vote: 2 – 3    AYES: Funderburk, Mitchem**  
**NOES: Cochrane, Anderson, Craig**

**Proposed Ordinance and Agreement to Award a Franchise for the Operation of a Construction and Demolition Debris Landfill to BFI:** Stan Kiser and Jeff Taylor reported on the legality of issuing a franchise and charging a fee to BFI. The fees may only be used to cover the cost of permitting and inspecting the franchise. If BFI would accept an agreement, one could be done.



**UPON MOTION** by Commissioner Craig, the Board voted unanimously for staff to negotiate with BFI concerning an agreement.

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

**Abandonment of Mac Lane:** The North Carolina Department of Transportation paved SR 1710, Mac Lane, funded by the Secondary Road Construction Fund, in year 2001. The road was added to the system as a 0.33-mile long unpaved road. Mr. Larry Grimsley and Mr. John Silver requested that the final 0.05 miles be abandoned from the state maintenance system and the pavement be stopped at 0.28 miles. The final 0.05 miles is completely on their property and was never graded as a road.

The North Carolina Board of Transportation requires approval of the Board of County Commissioners before a road abandonment is approved. It is requested that the Board of Commissioners would furnish the Lincoln County Maintenance Unit of the North Carolina Department of Transportation the requested action that so they may proceed with this request for abandonment of a portion of Mac Lane.

**UPON MOTION** by Commissioner Funderburk, the Board voted unanimously to approve the abandonment of Mac Lane.

**Special Separation Allowance:** Audrey Setzer stated that at the January 6, 2003 Board of Commissioners meeting, the Board approved by consensus the request to allow retired law enforcement officers receiving the Special Separation Allowance to work part-time with a written draft policy to be presented at the January 27, 2003 meeting.

She presented the following Special Separation Allowance Policy:

#### SPECIAL SEPARATION ALLOWANCE

The undersigned, \_\_\_\_\_, has heretofore been an employee of Lincoln County, having served in law enforcement of said County. The undersigned has notified the County that he/she will retire from the employment of the County, effective \_\_\_\_\_.

The undersigned acknowledges that he/she is eligible for a separation allowance, and that the undersigned will make written application for said separation allowance prior to the date his/her retirement.

The undersigned further acknowledges that in the event he/she at any time hereafter obtains employment with any local government, that he/she will immediately give written notice of said employment to Lincoln County. Should the terms and benefits of said employment with said government be such that the benefits paid to the undersigned under the state retirement system will terminate, then all payments under the

said separation allowance of Lincoln County will likewise cease at such time as the said employment causes the benefits under the state retirement system to terminate.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Employee

State of North Carolina  
County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notary seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:  
  
\_\_\_\_\_

#### Law Enforcement Officers' Separation Allowance

Officer's Name	_____
Social Security Number	_____
Date of Birth	_____
Date of Retirement	_____
Date of 62 <sup>nd</sup> Birthday	_____

I, \_\_\_\_\_, upon retirement from Law Enforcement service, acknowledge the following statement of facts as it relates to the Annual Separation Allowance hereby administered by Lincoln County. Payments will cease upon the earliest to occur of the following events:

1. My beginning any employment with another North Carolina governmental agency that causes my payments under the Local Government Employees Retirement System to terminate or be suspended; or

2. My 62<sup>nd</sup> birthday; or

3. My death. In the event of death, no survivor benefit is payable.

I further accept the responsibility to notify Lincoln County should I accept employment as outlined above or have a change of address.

Formula:

\$ _____	Base Salary
X .85%	
\$ _____	
X _____	Creditable Service Time
\$ _____	Equals Yearly Separation Pay
÷ 12	Number of Pay Periods
\$ _____	Monthly Benefit Paid

The final monthly separation allowance payment will be issued \_\_\_\_\_.  
(Month, Year)

\_\_\_\_\_  
Personnel Director

\_\_\_\_\_  
Retiring Law Officer

Date \_\_\_\_\_

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to adopt the Special Separation Allowance Process.

**Report on Foreclosures:** Madge Huffman and Jeff Taylor gave an update on foreclosures and reviewed the procedure followed with the foreclosures.

**Report from Forestry Service:** Elizabeth Snyder gave a report of accomplishments for the period of October 1 – December 31, 2002.

**Discussion Concerning Lawsuit Counties Have Against State:** Stan Kiser reported that he has spoken with Ron Aycock of the County Commissioners Association. They had originally put out the opinion that it was not possible to win a lawsuit against the state. Cabarrus County has retained the firm of Boyce Isley Law Firm. The cost to join

the lawsuit is \$500 for counties and \$200 for towns. Mr. Kiser recommended joining the lawsuit.

**UPON MOTION** by Commissioner Anderson, the Board voted unanimously to join the lawsuit.

**HIPAA Discussion:** Joanie Belk gave a presentation on HIPAA privacy and transaction rules. Also present were Mike Keller, Donna Courier, and Kathy Anthony who are on the HIPAA Compliance Committee.

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

**Capital Project Report – Public Works:** Steve Gilbert presented the Capital Project Report for the Public Works Department.

**Resolution Concerning Low Interest Loans of Clean Water Funds – Steve Gilbert:** Steve Gilbert stated that Lincoln County, with the assistance of WK Dickson & Co., has made application to the Department of Environment and Natural Resources for low-interest loans of NC Clean Water Fund to construct approximately 19,000 LF of 12-inch water line on Cat Square Road from Reepsville Road to NC 10 in Catawba County. This water line will connect with Catawba County's water system and will allow us to purchase water from the City of Hickory. This connection will greatly strengthen our system in the western end of the County and will enhance our ability to supply water to the City of Lincolnton as they supply water to Cherryville. We have also been approached by the Town of High Shoals about an emergency interconnect with their water system, and the connection with Hickory and Catawba County will enhance our ability to provide them with water, too.

The amount of loan requested is \$1,325,000. Lincoln County has already received a \$400,000 grant for this project, and some other improvements in the Central pressure zone, from The Rural Development Center, and the loan money will be used to pay for the remainder of the project costs. The Local Government Commission has requested that a resolution be adopted by the Board of Commissioners agreeing that the County will fulfill its financial obligations in regards to the loans, and if the obligations are not fulfilled the State may withhold funds otherwise due to the County in an amount sufficient to repay the loans. The attached resolution conforms to the requirements given to us by The Local Government Commission.

**RESOLUTION BY BOARD OF COMMISSIONERS  
COUNTY OF LINCOLN, NORTH CAROLINA  
JANUARY 27, 2003**

**WHEREAS,** The Federal Clean Water Act Amendments of 1987 and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of

government in financing the cost of construction of drinking water treatment works, and/or drinking water distribution systems, and

**WHEREAS,** Lincoln County has need for and intends to construct a drinking water project described as 19,000 LF of 12-inch water main along Cat Square Road from Reepsville Road in Lincoln County to NC 10 in Catawba County and a booster pump station, and

**WHEREAS,** Lincoln County intends to request State loan assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LINCOLN**

That Lincoln County will arrange financing for all remaining costs of the project, if approved for a State loan award.

Lincoln County will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the Board of Commissioners agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Lincoln County to make scheduled repayment of the loan, to withhold from Lincoln County any State funds that would otherwise be distributed to Lincoln County in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Lincoln County will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Stephen A. Gilbert, PE, PLS, Director of Public Utilities, and successors so titled, is hereby authorized to execute and file an application on behalf of Lincoln County with the State of North Carolina for a loan to aid in the construction of the project described above.

That Stephen A. Gilbert, PE, PLS, Director of Public Utilities and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Lincoln County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this 27<sup>th</sup> day of January, 2003 at Lincoln County, North Carolina.

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Jerry W. Cochran  
Chairman, Board of Commissioners

#### CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of Commissioners of the County of Lincoln does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the County of Lincoln duly held on the 27<sup>th</sup> day of January, 2003, and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 27<sup>th</sup> day of January, 2003.

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Amy Long  
Clerk to the Board

The Board deferred this item to February 3 to get something from Hickory saying how much they will charge for water and any conditions.

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

#### VACANCIES

Nursing and Adult Care Home Community Advisory Committee	4
Personnel Board	1
Recreation Commission – Union North	1
Solid Waste Advisory Board	9

The following are Commissioner Craig's recommendations:

## **APPOINTMENTS**

### *Historic Properties Commission*

Caroline Clark

### *Planning Board – At large*

Ken Hovis

### *Nursing and Adult Care Home Community Advisory Committee*

Richard Simmons

Marlene Simmons

### *Board of Adjustment*

Reappoint:

Robert Nixon

Larry Craig

Louis McConnell – Alternate

Appoint:

Buddy Funderburk

Betty Setzer – Alternate

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to make the above appointments.

**Calendar:** Chairman Cochrane presented the calendar for the month of February, 2003.

**County Commissioners' Report:** Commissioner Craig stated that in reference to a newspaper article in the Lincoln Times recently regarding a tax increase and signing a no tax increase pledge, he made a remark that it was foolish to sign the pledge without seeing any figures. He stated that other Commissioners took offense to this and he would like to apologize for his remarks. He stated that he was speaking for himself.

**County Manager's Report:** Stan Kiser, County Manager, presented the County Managers Report.

**County Attorney's Report:** Jeff Taylor reported on Governor's Island Sewer and meetings of the ABC Board.

**Other Business:** Commissioner Craig stated that it was in the Lincoln Times that Cicely Mitchell is leaving Charter Communications. He asked the Clerk to come up with a Resolution thanking her for her coverage of the area by next Monday.

Commissioner Funderburk asked the Board to consider some changes to the Car Farm Road Convenience Site. He stated that he has gotten several complaints about this site and would like the Board to look into changing the traffic flow.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to approve the Tax Refunds and Releases.

TAX RELEASES

NAME	YEAR	A/C NO	AMOUNT
Armstrong, Timothy Michael	2002	0134097	\$ 270.56
Carpenter, Ernest Common	2002	0162998	\$ 197.44
Cash, William Dennis	2002	0066443	\$ 128.31
Covington, Dawn Truitt	2002	0162699	\$ 263.73
Crane Trucking Inc.	2002	0141028	\$ 374.16
Davidson, Russell Allen	2001/02	0062651	\$ 123.45
Denver Equipment Co. Inc.	2002	0088230	\$ 113.33
Gantt, Benjamin Matha	2002	0070017	\$ 354.34
Hartzell, Mickey Durand	2002	0162121	\$ 273.76
Kincaid, Bryan Matthew	2002	0161551	\$ 197.06
Leathermon, Gary James Jr.	2002	0162259	\$ 162.37
Mozeley, Ray Christopher Jr.	2002	0082162	\$ 178.72
Oxford, Deborah Bryant	2002	0137763	\$ 141.21
Park N Shop Inc.	2002	0096224	\$ 153.87
Rash, Peggy Peyseur	2002	0109186	\$ 249.10
Sims, Shanda Campbell	2002	0161458	\$ 171.92
Sisk, Susan Amy	2002	0163028	\$ 206.27
Vowell, Penny Welch	2002	0147130	\$ 132.52
Wolgemuth, Lance Wade	2002	0155420	\$ 245.91
		<b>TOTAL</b>	<b>\$ 3,938.03</b>

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Bailey Michael	2002	0077225	\$ 6.38
Akers, Paul Carroll	2002	0099358	\$ 7.05
Alexander, Celestine Avis	2002	0078268	\$ 25.73
Arrowood, Casey Todd	2001	0100899	\$ 84.65
Badeaux, Edward Marshall	2002	0159586	\$ 12.24
Banik, Richard Jason	2002	0153263	\$ 82.32
Bates, Joe M.	2002	05844	\$ 54.51
Baucom, Charlie Bradford Sr.	2002	0103731	\$ 16.33
Beaver, Stanley	2002	00836	\$ 25.73
Berg, Lyle Osborne	2002	0071342	\$ 19.93
Bolanos, Luis	2002	0113026	\$ 17.71
Brown, Patricia M.	2002	0103857	\$ 43.11
Chapman, David Scott	2002	0099076	\$ 66.13



Chaves, Mario Morales	2002	0123405	\$ 12.22
Clark, Steven F.	2002	0114622	\$ 6.66
Clayborn, Gary Macons	2002	0161937	\$ 61.96
Cloninger, Robert Truman	2002	0109925	\$ 58.98
Cloninger, Tammy Annette	2000	0095339	\$ 75.23
Coffey, Ronald H.	2002	12123	\$ 1.77
Craig, Robert Teague	2002	0108652	\$ 48.98
Creech, James Steven	2002	0137331	\$ 68.18
Cudd, Christopher Michael	2002	0151602	\$ 11.65
David Clark DBA	2002	0121732	\$ 9.47
Davis, Kevin Howard	2002	0067647	\$ 53.67
Davis, Michael Allen	2001	0156837	\$ 52.60
Detmers, Fritz	2002	0130068	\$ 15.71
Dobson, Suzanne Elizabeth	2002	0130845	\$ 9.69
Duggan, Patrick M.	2002	0114643	\$ 45.71
Durham, Beth Renee	2002	0093463	\$ 33.99
Early, Russell L. & Carla T.	2002	29593	\$ 23.88
Engle, Ronnie Darrell	2002	0082159	\$ 12.46
Ervin, Jason Andrew	2002	0079484	\$ 13.80
Estridge, Timothy H.	2002	0140536	\$ 52.48
Farmer, Charlotte Rhyne	2002	0154789	\$ 4.02
Fregerg, James H.	2002	0147388	\$ 77.70
Friday, Angelica Latitia	2002	0105967	\$ 36.67
Gary Templin & Associates	2002	0162852	\$ 12.46
Grant, John Paul	2002	13703	\$ 68.09
Hagens, Diane Boback	2002	0143630	\$ 37.82
Hammiel, Joseph Richard	2002	0100842	\$ 25.02
Hartsoe, Jerry K.	2002	02026	\$ 15.23
Hawkins Modular Home Sets	2002	0149574	\$ 2.36
Haynes, Robert Lee Jr.	2002	0079428	\$ 34.55
Heater Utilities Inc.	2002	0136827	\$ 48.46
Henderson, Jonas Levon	2002	0064937	\$ 10.28
Hines, John E. Sr.	2002	06832	\$ 3.52
Horton, Lora Diane	2002	0140769	\$ 70.69
Howard, Horace G. Sr.	2002	0128759	\$ 21.55
Howard, Patricia Owensby	2002	0139628	\$ 72.68
Huskey, Thomas Earl Jr.	2002	0104886	\$ 85.70
Johnson, Eric Richard	2002	0125691	\$ 20.71
Keener, Thomas F.	2001/02	0135429	\$ 88.40
Key Dental Prosthetics Inc.	2002	0158264	\$ 27.43
Killian, Brennan Scott	2002	0124886	\$ 23.33
King, Matthew David	2002	0162192	\$ 12.52

Law, Mary Beth	2002	0161468	\$ 46.84
Lawing, Gary Lester	2002	15272	\$ 78.08
Leon, Gustavo	2002	0154983	\$ 12.39
Liles, James Wesley	2002	0123494	\$ 50.99
Locklair, Baron David Jr.	2002	16099	\$ 7.50
Lopez, Christian Mora	2002	0119857	\$ 84.07
Lopez, Gabriel Moreno	2002	0102892	\$ 15.46
Lowman, Phillip M.	2002	03902	\$ 30.15
Macleod Construction	2002	0103320	\$ 38.32
Marshall, Sherry Walker	2001	0118872	\$ 40.23
Martin, Edwin Lee	2002	0105234	\$ 12.26
Martin, Robert Blanton	2002	0102345	\$ 19.11
Martinez, Jason	2002	0156122	\$ 12.63
Mashburn, Pamela Grace	2002	0091713	\$ 6.57
McMillion, Alan D.	2002	0150627	\$ 10.34
Mintz, William David	2002	0079246	\$ 72.92
Moore, Michael Craig	2002	0075798	\$ 32.19
Morris, Sudie Belle	2002	0118761	\$ 69.22
Morrow, Lynn Warren	2002	0070630	\$ 10.33
Mosteller, Craig	2002	0122123	\$ 12.11
Mungro, Sherron Geneva	2002	0147603	\$ 80.24
Nelson, Harriette Swanson	2002	0154283	\$ 74.02
O'Brien, Beverly J.	2002	0135852	\$ 29.99
Pace, Susan Cook	2001	0143512	\$ 14.72
Parker, Marie Stamey	2002	0071831	\$ 58.05
Perez, Juan Manuel	2001/02	0142943	\$ 20.24
Pittman, Earl Jr.	2002	0069551	\$ 21.21
Plummer, David Anthony	2002	0103232	\$ 22.69
Poole-Propst, Robert Bradley	2002	0153318	\$ 3.93
Powell, Elizabeth Wise	2002	46611	\$ 13.16
Power, Julie Lynn	2002	0159824	\$ 62.44
Price, Ashely A.	2002	0131892	\$ 17.91
Prime Time Investments Inc.	2002	0124195	\$ 44.00
Propst, David Hoke	2002	0110504	\$ 52.74
Radius Motorsports Inc.	1999	0065595	\$ 50.60
Red, Marion Lane Jr.	2001/02	0079954	\$ 97.22
Reese, William Samson	2002	0140192	\$ 69.12
Rhodes, John Rankin	2002	0078489	\$ 41.81
Richardson, Kimberly Lail	2002	0155195	\$ 26.13
Rogers, David K.	2002	0123139	\$ 17.40
Ruggles, Andrew Leslie	2002	0162764	\$ 54.87
Sain, Corey Reid	2002	0125100	\$ 53.43

Smith, Terry Lee	2002	0155825	\$ 15.41
Spender, Carroll Samuel	2002	0071042	\$ 12.12
Stroud, Reginald A.	2002	20951	\$ 16.20
Swafford, Sandy Scott	2002	0119026	\$ 10.30
Towery, Gregory Lee	2002	0071945	\$ 17.12
Villanueva, Ignacio Yepez	2002	0155096	\$ 14.96
Warlick, Jack Albert	2002	0072656	\$ 65.61
White, Elias	2002	0161524	\$ 18.98
Williamson, Robert Guy Sr.	2002	0089746	\$ 32.83
Wolfe, Carl Bagley Jr.	2002	0144818	\$ 17.54
Zuo, Qixin	2002	0144019	\$ 15.90

**TOTAL \$3,754.70**

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
Bailey, James Lee	2002	0151862	\$ 385.90
Baxter, Kenneth Frank Jr.	2002	32170	\$ 2,590.83
BCS Septic Services Inc.	2001	0148117	\$ 737.00
Black, Penny	2002	0128154	\$ 295.65
Brittain, Jill C. (Willis)	2002	01505	\$ 225.24
Brooks, Tim	2002	0162458	\$ 147.40
Buddy Chaney Septic Service	2002	0129985	\$ 184.25
Carter, Harold J.	2002	0161823	\$ 115.33
Corriher, T. F. Jr.	2002	03216	\$ 3,221.34
Galow, Craig	2002	0163186	\$ 162.36
Gilbert, Jerry Paul Sr.	2002	03929	\$ 458.51
Hicks, Alonzo	1992-95	37190	\$ 877.38
Ingle, William E.	2002	0153006	\$ 138.00
Lambert, Patricia D.	1993-02	15025	\$ 182.85
Lee Scott Racing Enterprises	2002	0140494	\$ 122.55
Lincolnton First Wesleyan Ch	2002	0154021	\$ 1,201.87
Long, Alvin Lewis	2002	03873	\$ 266.08
Owens, Willie Alger Jr.	2002	0141883	\$ 403.96
Parker, Rex Bradley	2002	0072437	\$ 3,153.82
Perks Garage	2001/02	25766	\$ 137.07
Rhodes & Beal Oil Co	1998	0061681	\$ 106.24
Speagle, Nancy Anne	2000-02	0104035	\$ 222.62
Stamey, C. A.	2002	15904	\$ 422.01
Viking Technology Inc.	2001	0151290	\$ 4,640.38
Wehunt, J. C. & Sons	2002	26313	\$ 473.91
Wells Fargo Financial Lease	2002	0151276	\$ 2,584.68

**TOTAL \$23,457.23**

<b>NAME</b>	<b>YEAR</b>	<b>A/C NO</b>	<b>AMOUNT</b>
Allen, David	2002	0163097	\$ 61.80

Beal, Clarence L.	2002	0146770	\$ 69.00
Bivens, Maebell Canipe	2000-02	37476	\$ 20.90
Blake, Anthony Roland	1996/98	0098184	\$ 57.92
Bostic, Mary Delores	2002	48767	\$ 18.27
Carpenter, Mark A.	2002	0151171	\$ 41.84
Charland, Mike	2002	0163118	\$ 97.42
Gilbert, Flint Harlen	2002	13407	\$ 5.25
Hall, Phillip	2002	0162469	\$ 22.25
Martin, John F.	2002	07560	\$ 50.37
McCurry, Kenneth M.	2002	0109656	\$ 38.67
Nixon, Pat M.	2002	18998	\$ 23.12
Proctor, James Allen	2002	0085535	\$ 73.89
Rhodes & Beal Oil Co (Blanton)	1999	0061686	\$ 32.75
Rhodes & Beal Oil Co (Country)	2001	0061687	\$ 75.19
Rhodes & Beal Oil Co (Market)	1999-01	0061691	\$ 62.15
Roberts, Mike	2002	0148134	\$ 32.58
Smith, Mary Scoates (Heirs of)	1999-02	0103555	\$ 56.81
Wells Fargo Financial Leasing	2002	0151274	\$ 48.98
Wilson, Joseph R.	2002	0161840	\$ 18.73
		<b>TOTAL</b>	<b>\$ 907.88</b>

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

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Amy S. Long, Clerk to the Board

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Jerry W. Cochrane, Chairman