

**MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 2, 2003**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session with the Planning Board on June 2, 2003 at the Citizens Center, Commissioner's Room, 115 West Main Street, Lincolnton, North Carolina at 6:30 PM.

Commissioners Present:

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

Planning Board Members Present:

Dean Lutz
Mike Baker
Ken Hovis
Darrell Harkey
Harold Howard Jr.
Terry Whitener
Gerald Johnson
Clyde Brown

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Long, Clerk to the Board
Kelly Atkins, Director of BALD
Randy Hawkins, Zoning Administrator
Leon Harmon, Finance Director

Call to Order: Chairman Cochrane called the June 2, 2003 meeting of the Lincoln County Board of Commissioners to order. Chairman Cochrane gave the Invocation and Commissioner Craig led in the Pledge of Allegiance.

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

UPON MOTION by Commissioner Craig, the Board voted unanimously to adopt the agenda with the addition of Presentation by Darrell Harkey as Item 2a.

AGENDA
LINCOLN COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARINGS
JUNE 2, 2003

- | | | |
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| | 6:30 PM | Call to Order |
| | 6:31 PM | Invocation |
| | 6:34 PM | Pledge of Allegiance |
| 1. | 6:35 PM | Adoption of Agenda |
| 2. | 6:40 PM | Approval of Minutes <ul style="list-style-type: none">- April 23, 2003 - Recessed meeting from April 21, 2003- May 19, 2003 Regular Meeting |
| 3. | 6:45 PM | New Business/Advertised Public Hearings <p><u>CUP #218 Donald Hill, applicant</u> (Parcel ID# 22881) A request to change a conditional use permit to allow the expansion of a machine shop in the General Business (B-G) district. The 0.64-acre parcel is located at 4866 E. Hwy. 27, Iron Station.</p> <p><u>ZMA #456 Russell Dellinger, applicant</u> (Parcel ID# 60241) A request to rezone approximately 0.75 acres from General Industrial (I-G) to Transitional Residential (R-T). The property is located on the north side of Old Plank Road about 3,200 feet west of Highway 16 in Catawba Springs Township</p> |
| 4. | 7:05 PM | Order of Collection for 2003-2004 Taxes |
| 5. | 7:15 PM | Refunding Bonds – Leon Harmon |
| 6. | 7:25 PM | Set Budget Public Hearing for June 16, 2003 at 7:00 PM |
| 7. | 7:30 PM | Airport Land Swap |
| 8. | 7:45 PM | Other Business |
| | | Recess |

Approval of Minutes – April 23, 2003 and May 19, 2003: Chairman Cochrane presented the minutes of the April 23, 2003 and May 19, 2003 minutes for the Board's approval.

Commissioner Anderson stated that the following correction should be made:

May 19, 2003, Page 11

A MOTION by Commissioner Anderson to **deny** the Conditional Use Permit, **and approve** the findings of fact as presented by the Planning Board.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the minutes.

Darrell Harkey, Historical Coordinator for Lincoln County, presented the Board with a national magazine that has Ramsour's Mill on the cover. He read the Board a letter concerning the article about Ramsour's Mill.

New Business: Advertised Public Hearings: Chairman Cochrane announced that this was the date, Monday, June 2, 2003 and the time, which was advertised in the *Lincoln Times-News* on Friday, May 23, 2003 and May 30, 2003.

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, June 2, 2003, at 6:30 p.m. to consider the following zoning matters:

CUP #218 Donald Hill, applicant (Parcel ID# 22881) A request to change a conditional use permit to allow the expansion of a machine shop in the General Business (B-G) district. The 0.64-acre parcel is located at 4866 E. Hwy. 27, Iron Station.

ZMA #456 Russell Dellinger, applicant (Parcel ID# 60241) A request to rezone approximately 0.75 acres from General Industrial (I-G) to Transitional Residential (R-T). The property is located on the north side of Old Plank Road about 3,200 feet west of Highway 16 in Catawba Springs Township.

The public is invited to attend this meeting, which will be held in the Commissioners Room on the third floor of the Citizens Center, 115 W. Main Street, Lincolnton, N.C. For more information, contact the Department of Building and Land Development at (704) 736-8440.

Conditional Use Permit No. 218 – Donald Hill, applicant: Having been sworn by the Clerk, the following individuals presented information.

Randy Hawkins, Zoning Administrator, presented the following information concerning Conditional Use Permit No. 218 – Donald Hill, applicant.

The applicant is requesting to change a Conditional Use Permit to allow the expansion of a machine shop in the General Business (B-G) district. A Conditional Use Permit (CUP #98) was approved in 1997 to allow an old store building to be used as a machine shop. The applicant is proposing to construct a 2,520-square-foot metal building to expand the business, which makes running boards for classic automobiles.

The 0.64-acre parcel is located at 4866 E. Hwy. 27, Iron Station. It is adjoined by property zoned General Business, Neighborhood Business (B-N) and Transitional Residential (R-T).

Mr. Hawkins stated that the applicant currently has 2 employees and may be able to add 2 more with the expansion.

Chairman Cochrane opened the public hearing concerning Conditional Use Permit No. 218 – Donald Hill, applicant.

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

Zoning Map Amendment No. 456 – Russell Dellinger, applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 456.

The applicant is requesting to rezone 0.75 acres from General Industrial (I-G) to Transitional Residential (R-T). The applicant plans to buy this property and combine it with two residential lots he owns, and create three lots. A duplex and a house are located on the two existing lots. The applicant plans to move a house from the corner of Old Plank Road and Hwy.16 and place it on the new lot.

The property is located on the north side of Old Plank Road about 3,200 feet west of Hwy. 16. It's part of a 67-acre tract that's zoned General Industrial. It's adjoined on the east and south by property zoned Transitional Residential (R-T).

Chairman Cochrane opened the public hearing concerning Zoning Map Amendment No. 456 – Russell Dellinger, applicant.

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

The Planning Board reconvened to the 2nd floor balcony.

Order of Collection for 2003-2004 Taxes: Stan Kiser stated that this is a formality that must be voted on before taxes can be collected.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to accept the Order of Collection as presented.

ORDER OF COLLECTION

State of North Carolina

County of Lincoln

TO: The Tax Administrator of Lincoln County

Pursuant to North Carolina General Statute #105-321 (b), you are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Lincoln, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 2nd day of June, 2003.

Jerry W. Cochrane, Chairman
Board of County Commissioners

ATTEST:

Amy S. Long, Clerk to the Board

Refunding Bonds: A regular meeting of the Board of Commissioners for the County of Lincoln, North Carolina, was held at the Lincoln County Citizens Center, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting, on June 2, 2003, at 6:30 P.M.

Present: Chairman Jerry W. Cochrane, presiding, and Commissioners Larry S. Craig, Carrol D Mitchem, James Funderburk, Thomas R. Anderson.

Also present: Stan Kiser, County Manager, Leon Harmon, Finance Director, Jeffrey A. Taylor, County Attorney, and Amy S. Long, Clerk to the Board of Commissioners.

* * * * *

Chairman Cochrane introduced the following resolution, which was read by title and summarized by the Finance Director:

RESOLUTION MAKING CERTAIN FINDINGS RELATING TO THE
AUTHORIZATION AND ISSUANCE OF ADDITIONAL GENERAL
OBLIGATION REFUNDING BONDS OF THE COUNTY OF LINCOLN,
NORTH CAROLINA, AND AUTHORIZING FINANCE DIRECTOR TO FILE
APPLICATION FOR APPROVAL THEREOF WITH LOCAL GOVERNMENT
COMMISSION

WHEREAS, the Board of Commissioners for the County of Lincoln, North Carolina (the "County") is considering the authorization of not exceeding an additional \$250,000 Refunding Bonds of the County (the "Bonds") for the purpose of refunding, together with the proceeds of

\$1,800,000 Refunding Bonds of the County authorized by order adopted on May 5, 2003, all of the County's outstanding Water Bonds, Series 1992A, Water Bonds, Series 1992B and County Facilities Bonds, Series 1992, each dated December 1, 1992, that mature on or after June 1, 2004;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County:

Section 1. The Board of Commissioners hereby finds and determines in connection with authorizing the issuance of the Bonds that (a) the proposed issuance of the Bonds is necessary or expedient for the County, (b) the proposed principal amount of the Bonds is adequate and not excessive for the proposed purpose of such issue, (c) the County's debt management procedures and policies are good and are managed in strict compliance with law, (d) no increase in taxes will be necessary to service the Bonds and (e) under current economic conditions the Bonds can be marketed at reasonable rates of interest.

Section 2. The Finance Director is hereby designated as the representative of the County to file an application for approval of the Bonds with the Local Government Commission of North Carolina, and all actions heretofore taken by the Finance Director and any other officers of the County relating to such matter are hereby approved, ratified and confirmed.

Section 3. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Anderson, seconded by Commissioner Funderburk, the foregoing resolution entitled:

"RESOLUTION MAKING CERTAIN FINDINGS RELATING TO THE AUTHORIZATION AND ISSUANCE OF ADDITIONAL GENERAL OBLIGATION REFUNDING BONDS OF THE COUNTY OF LINCOLN, NORTH CAROLINA, AND AUTHORIZING FINANCE DIRECTOR TO FILE APPLICATION FOR APPROVAL THEREOF WITH LOCAL GOVERNMENT COMMISSION"

was passed by the following vote:

Ayes: Commissioners Cochran, Anderson, Craig, Funderburk, Mitchem

Noes: _____.

Thereupon Chairman Cochran introduced the following order authorizing bonds, which was read by title and summarized by the Finance Director:

**ORDER AUTHORIZING
\$250,000 REFUNDING BONDS**

BE IT ORDERED by the Board of Commissioners for the County of Lincoln:

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Refunding Bonds in an aggregate principal amount not exceeding \$250,000, for the purpose of providing funds, together with the proceeds of \$1,800,000 Refunding Bonds authorized by order adopted on May 5, 2003 and any other available funds, for refunding all of said County's outstanding Water Bonds, Series 1992A, Water Bonds, Series 1992B and County Facilities Bonds, Series 1992, each dated December 1, 1992, that mature on or after June 1, 2004.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

4. That this order shall take effect upon its adoption.

The Board of Commissioners thereupon designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn

statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after a bond order has been introduced and before the public hearing thereon.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board, the sworn statement of debt as so required.

On motion duly made by Commissioner Funderburk, seconded by Commissioner Craig and unanimously carried, the Board of Commissioners fixed 6:30 P.M., on June 16, 2003, in the Commissioners' Meeting Room at the Lincoln County Citizens Center, North Carolina, as the hour, day and place for the public hearing upon the foregoing order and directed the Clerk to the Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Lincoln Times-News not later than the sixth day before said date.

Set Budget Public Hearing: UPON MOTION by Commissioner Craig, the Board voted unanimously to set the budget public hearing for June 16, 2003 at 7:00 PM and the East Lincoln County Water and Sewer budget at 6:30 PM.

Airport Land Swap: Leon Harmon stated that the Airport Authority would like to expand the terminal area and have acquired some land over the past few years from adjoining property owners. Part of this project is to relocate Airport Drive, going into the airport. In order to relocate it, there is a need to acquire land from the Carpenters. The Airport Authority would like to swap property with the Carpenters.

UPON MOTION by Commissioner Anderson, the Board voted unanimously to approve the airport land swap.

Other Business: UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the Hospice Race Day Proclamation.

HOSPICE RACE DAY PROCLAMATION

WHEREAS, Hospice of Lincoln County provides quality, compassionate, palliative healthcare and support services to individuals and families facing life threatening illnesses, enabling them to experience the end of life with grace and dignity; and

WHEREAS, Hospice of Lincoln County serves around 200 patients and families per year; and

WHEREAS, Hospice of Lincoln County services are covered by reimbursement from Medicare, Medicaid and private insurance; and

WHEREAS, those eligible for care are not denied Hospice of Lincoln County services because of inability to pay; and

WHEREAS, as a local, not-for-profit health care agency, Hospice of Lincoln County seeks contributions from individuals, foundations, corporations, communities of faith and civic organizations to help pay for services not covered by reimbursement; and

WHEREAS, on June 14, 2003, a race will be held at East Lincoln Speedway from which all profits will benefit Hospice of Lincoln County.

NOW, THEREFORE, we the Lincoln County Board of Commissioners, do hereby proclaim Saturday, June 14, 2003 as Hospice Race Day in Lincoln County.

Proclaimed this the 2nd day of June, 2003.

Jerry W. Cochrane, Chairman

Larry S. Craig, Vice-Chairman

Commissioner Thomas R. Anderson

Commissioner Buddy Funderburk

Commissioner Carrol D. Mitchem

Commissioner Craig stated that at a recent ball game, a parent showed him a letter from Dr. Watson encouraging parents to continue calling the Commissioners.

Recess: UPON MOTION by Commissioner Mitchem, the Board voted unanimously to recess the meeting until 3:00 tomorrow in the Commissioner's Room.

Amy S. Long, Clerk
Board of Commissioners

Jerry W. Cochrane, Chairman
Board of Commissioners