

**MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 4, 2005**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on April 4, 2005 at the Citizens Center, Commissioners Room, Third Floor, 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

Planning Board Members Present:

Dean Lutz, Chairman
Louis McConnell
John Pagel
Darrell Harkey
Ken Hovis
Clyde Brown
Harold Howard, Jr.
Jerry Geymont
Terry Whitener

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 April 4, 2005 meeting of the Lincoln County Board of Commissioners to order.

Invocation: Commissioner Funderburk gave the Invocation and Commissioner Patton led in the Pledge of Allegiance.

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

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to adopt the agenda adding a Recreation Resolution as Item 8a.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

APRIL 4, 2005

- 6:30 PM Call to Order
- 6:31 PM Invocation – Commissioner Buddy Funderburk
- 6:32 PM Pledge of Allegiance
1. 6:34 PM Adoption of Agenda
2. 6:35 PM Approval of Minutes
- March 21, 2005
3. 6:40 PM Consent Agenda
- Request for Waived Fees
 - Crisis Pregnancy Center
 - Tax Requests for Releases – More Than \$100
 - February 16 – March 15, 2005
 - Tax Requests for Refunds – More Than \$100
 - March 7 – 20, 2005
 - Budget Adjustment 69 - 70
 - 2005 Business Appreciation Week Proclamation
 - Proclamation for Week of the Young Child
 - Letter of Credit No. 34 Extension
 - Refund of Overpayment for Register of Deeds
4. 6:45 PM New Business/Advertised Public Hearings

ZMA #493 Melvin D. Core, applicant (Parcel ID# 73543) A request to rezone a 1.1-acre parcel from Transitional Residential (R-T) and Neighborhood Business (B-N) to General Business (B-G). The property is located on the east side of Hwy. 16 about 1,500 feet north of Hwy. 73 in Catawba Springs Township.

ZMA #494 Wayne Heavner, applicant (Parcel ID# 26226) A request to rezone a 0.5-acre parcel from Transitional Residential (R-T) to General Industrial (I-G). The property is located on the east side of Buffalo Shoals Road about 750 feet south of Poarch Road in Ironton Township.

ZMA #495 David Cox, applicant (Parcel ID# 19418) A request to rezone a 9.3-acre parcel from Rural Residential (R-R) to Residential Single-Family (R-SF). The property is located on the east side of Summerow Road at Maiden-Salem Road and U.S. 321 in Lincoln Township.

PCUR #111 Michael Wright, applicant (Parcel ID# 16275) A request for to rezone a 3.3-acre parcel from Residential Single-Family (R-SF) to Conditional Use Residential Suburban (CU R-S) to permit the placement of a Class B (doublewide) mobile home. The property is located along U.S. 321 about 150 feet east of Smith Farm Road and 1.25 miles south of Victory Grove Church Road in Ironton Township.

PCUR #112 David Wulfhorst, applicant (Parcel ID# 56801) A request to rezone a 0.24-acre parcel from Residential Single-Family (R-SF) to Conditional Use Neighborhood Business (CU B-N) to permit an office/storage building. The property is located on the south side of Webbs Road about 600 feet west of Cindy Lane in Catawba Springs Township.

5. 7:10 PM Report from North Carolina Department of Transportation
6. 7:25 PM Purchase of Computer Equipment for DSS – Susan McCracken
7. 7:35 PM Sheriff and Register of Deeds Pay Study Committee Report – Jim Lail
8. 7:45 PM Update on Grants – Susan Spake
9. 7:55 PM Relocation of West Lincoln Booster Pump Station – Steve Gilbert
10. 8:00 PM Other Business

Adjourn

Approval of Minutes – March 21, 2005: Chairman Anderson presented the minutes of the March 21, 2005 meeting for approval.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the March 21, 2005 minutes as presented.

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

- Request Waived Fees
 - Crisis Pregnancy Center

Tax Requests for Releases - More than \$100 – February 16 - March 15, 2005

NAME	YEAR	A/C NO	AMOUNT
Canipe, David Eugene	2004	0169672	\$ 102.78

Carlson, Mary Frances	2004	0181024	\$ 240.57
Dorton, Kevin Ray	2004	0181549	\$ 368.04
Eric Douglas Tucker DBA	2004	0172606	\$ 269.16
Fullerton, Jason Dale	2004	0178599	\$ 123.66
Maruca, Mona Elizabeth	2004	0181863	\$ 309.04
McCoy, Christopher W.	2004	0157188	\$ 135.12
Moore, Sally Jo			
Bumgardner	2004	49524	\$ 122.48
Nash, Melissa Vernon	2004	0181300	\$ 164.84
No Zip Code LLC	2004	0179579	\$ 134.52
Sellers, Tina Michele	2004	0181334	\$ 118.59
Taylor, Timothy Glenn	2001/02	0138417	\$ 147.72
Trent, Robert Dean	2003	0173159	\$ 175.90
Walters, Donald Lynn	2004	0181694	\$ 287.10
Williams, Leonard Dolan	2004	0082568	\$ 217.25

TOTAL \$ 2,916.77

NAME	YEAR	A/C NO	AMOUNT
Bess, Robert M.	2004	00891	\$ 2,024.63
Canipe, Bobby Dean	2002/03	02619	\$ 915.57
Carswell, Jane L.	2005	0130645	\$ 1,641.48
Doe Park Home Owners	2004	0166127	\$ 169.45
Falls Quickstop	2004	0176641	\$ 1,356.38
Fletchers Line Burying Serv.	2004	0102544	\$ 184.25
Frey, Joseph E.	2004	0082652	\$ 305.16
Gross, Peggy	2000-03	0139999	\$ 739.35
Leatherman, Angela Joann	2004	0076496	\$ 105.56
Leatherman, Ralph W.	2000-03	0074953	\$ 156.60
Meiko, Michael	1996-04	0105901	\$ 730.10
Mohseni, Ali	2004	0164759	\$ 1,268.37
Moto Express	2004	0170216	\$ 110.55
NC Dept. of Transportation	2004	0127782	\$ 483.00
Ostrowski, Tom	2004	0177695	\$ 387.41
Unique Transportation	2004	0155490	\$ 2,420.32
		TOTAL	\$12,998.18

Tax Requests for Refunds – More than \$100 – March 7 – 20, 2005

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
 ANNUALS

PERIOD COVERED (March 7, 2005 – March 20, 2005)

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

NAME	YEAR	DIST	A/C#	AMOUNT
Edwards, William C.	2004	ELF/ELSD	0133883	1,635.10
Ford, Kevin D.	2003-2004	ELF/ELSD	0169509	235.58
Hoffman, Terry	2004	SFFD	0151786	820.08
			TOTAL	\$ 2,690.76

Budget Adjustment No. 69 to increase expenditure and revenue line items for additional allocation of funds for Crisis Intervention Program (no county funds).

Budget Adjustment No. 70 to increase expenditure and revenue line items for funds approved through Department of Juvenile Justice to purchase laptops for two DJJDP social workers.

Proclamation
2005 Business Appreciation Week
April 10 – 16, 2004

WHEREAS, the County of Lincoln is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these companies provide essential employment opportunities for the citizens of the County of Lincoln; and

WHEREAS, these companies provide local revenues from which the entire citizenry benefit; and

WHEREAS, businesses make considerable contributions to our families and communities, often improving the overall quality of life; and

WHEREAS, we recognize and appreciate these businesses;

NOW, THEREFORE, we the Board of Commissioners of Lincoln County, do hereby recognize our existing businesses and by virtue of this proclamation give notice to our citizens that the week of April 10 – 16, 2005 is Business Appreciation Week in the County of Lincoln.

ADOPTED this the day of April 2005.

Proclamation
For Week of the Young Child
Lincoln County Board of Commissioners

Whereas, the Partnership for Children of Lincoln and Gaston Counties, early childhood educators and parents are celebrating the Week of the Young Child, April 3 – 9, 2005; and

Whereas, over 3,800 families are caring for over 5,000 preschool children in Lincoln County and over 3000 Lincoln County preschool children need high quality, safe care while their parents work; and

Whereas, over 150 dedicated professionals are employed in 30 licensed child care centers and family child care homes caring for over 1000 preschool children in an industry that generates over \$5.5 million per year in small business income in Lincoln County; and

Whereas, Lincoln County Schools currently has 11 classrooms operating in 6 schools, providing preschool education to over 165 at risk preschool children; and it is committed to continued growth and support of pre-kindergarten education; and

Whereas, the Lincoln County Departments of Social Services and Health are promoting the safety, health, and financial well-being of preschool children; and

Whereas, Communities in Schools and the Community Empowerment Center provide training for preschool parents; and

Whereas, the future of our community depends on the quality of the early childhood experiences provided to young children today;

Be it resolved that the Lincoln County Board of Commissioners proclaims April 3 – 9, 2005 as The Week of the Young Child in honor of the families and professionals who dedicate themselves to meeting the needs of the young children of Lincoln County.

Thomas R. Anderson, Chair
Lincoln County Board of Commissioners

- Letter of Credit #34 Extension
- Refund of Overpayment to Mrs. Faye Kinney

New Business: Advertised Public Hearings: Chairman Anderson announced that this was the date, Monday, April 4, 2005 and the time, 6:30 PM, which was advertised in the *Lincoln Times-News* on March 25 and April 1, 2005.

NOTICE OF PUBLIC HEARINGS

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, April 4, 2005, at 6:30 p.m. to consider the following matters:

ZMA #493 Melvin D. Core, applicant (Parcel ID# 73543) A request to rezone a 1.1-acre parcel from Transitional Residential (R-T) and Neighborhood Business (B-N) to General Business (B-G). The property is located on the east side of Hwy. 16 about 1,500 feet north of Hwy. 73 in Catawba Springs Township.

ZMA # 494 Wayne Heavner, applicant (Parcel ID# 26226) A request to rezone a 0.5-acre parcel from Transitional Residential (R-T) to General Industrial (I-G). The property is located on the east side of Buffalo Shoals Road about 750 feet south of Poarch Road in Ironton Township.

ZMA # 495 David Cox, applicant (Parcel ID# 19418) A request to rezone a 9.3-acre parcel from Rural Residential (R-R) to Residential Single-Family (R-SF). The property is located on the east side of Summerow Road at Maiden-Salem Road and U.S. 321 in Lincoln Township.

PCUR # 111 Michael Wright, applicant (Parcel ID# 16275) A request for to rezone a 3.3-acre parcel from Residential Single-Family (R-SF) to Conditional Use Residential Suburban (CU R-S) to permit the placement of a Class B (doublewide) mobile home. The property is located along U.S. 321 about 150 feet east of Smith Farm Road and 1.25 miles south of Victory Grove Church Road in Ironton Township.

PCUR # 112 David Wulfhorst, applicant (Parcel ID# 56801) A request to rezone a 0.24-acre parcel from Residential Single-Family (R-SF) to Conditional Use Neighborhood Business (CU B-N) to permit an office/storage building. The property is located on the south side of Webbs Road about 600 feet west of Cindy Lane 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 James W. Warren Citizens Center, 115 W. Main Street, Lincoln, N.C. For more information, contact the Department of Building and Land Development at (704) 736-8440.

Zoning Map Amendment No. 493 – Melvin D. Core: Randy Hawkins presented the following information concerning Zoning Map Amendment No. 493 – Melvin D. Core, applicant.

The applicant is requesting the rezoning of a 1.1-acre parcel from Transitional Residential (R-T) and Neighborhood Business (B-N) to General Business (B-G).

The property is located on the east side of Hwy. 16 about 1,500 feet north of Hwy. 73. It is adjoined by property zoned Transitional Residential, Neighborhood Business and General Business.

Chairman Anderson opened the public hearing concerning Zoning Map Amendment No. 493 – Melvin D. Core, applicant.

Randy Hawkins read the list of uses for General Business.

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

Zoning Map Amendment No. 494 – Wayne Heavner, applicant: Randy Hawkins, Zoning Administrator, presented information concerning Zoning Map Amendment No. 494 – Wayne Heavner, applicant.

The applicant is requesting the rezoning of a 0.5-acre parcel from Transitional Residential (R-T) to General Industrial (I-G). The owner of the property has authorized the rezoning request.

The property is located on the east side of Buffalo Shoals Road about 750 feet south of Poarch Road in Ironton Township. It is surrounded by property zoned Transitional Residential. An existing building on this property has been used for a rug-making (weaving looms) operation that's grandfathered under the Zoning Ordinance. Prior to that, the building housed an auto body shop. A community ball field and an Odd Fellows lodge are located on adjoining property.

Randy Hawkins presented pictures of the property. He also presented a list of uses allowed in General Industrial.

Chairman Anderson opened the Public Hearing on Zoning Map Amendment No. 494 – Wayne Heavner, applicant.

Being no one wishing to speak, Chairman Anderson declared the Public Hearing on Zoning Map Amendment No. 494 – Wayne Heavner, applicant, closed.

Zoning Map Amendment No. 495 – David Cox, applicant: Randy Hawkins, Zoning Administrator, presented information concerning Zoning Map Amendment No. 495 – David Cox, applicant.

The applicant is requesting the rezoning of a 9.3-acre parcel from Rural Residential (R-R) to Residential Single-Family (R-SF). The owner of the property has authorized the rezoning request.

The property is located on the east side of Summerow Road at Maiden-Salem Road and U.S. 321 in Lincoln Township. It is adjoined by property zoned Residential Single-Family and Rural Residential.

Chairman Anderson opened the public hearing concerning Zoning Map Amendment No. 495 – David Cox, applicant.

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

Parallel Conditional Use Rezoning No. 111 – Michael Wright, applicant: Having been sworn by the Clerk, the following individuals presented information concerning Parallel Conditional Use Rezoning No. 111 – Michael Wright, applicant.

Randy Hawkins presented the following information concerning Parallel Conditional Use Rezoning No. 111 – Michael Wright, applicant.

The applicant is requesting the rezoning of a 3.3-acre tract from Residential Single-Family (R-SF) to Conditional Use Residential Suburban (CU R-S) to permit the placement of a Class B (doublewide) mobile home. The doublewide would replace a singlewide mobile home that is currently on the property under a temporary permit as a care provider unit.

The property is located along U.S. 321 about 150 feet east of Smith Farm Road and 1.25 miles south of Victory Grove Church Road in Ironton Township. It is adjoined by property zoned Residential Single-Family. The property on the opposite side of U.S. 321 is zoned Transitional Residential (R-T).

Mr. Hawkins stated that there is a singlewide on the property that was placed there in 1998 for an accessory care provider. The applicant is currently living there and caring for his grandfather. If approved, this would only allow 1 doublewide. He could replace the singlewide with a doublewide under the accessory care provider, but it would only be a temporary situation because it would have to be removed once care was no longer needed.

There are currently 2 doublewides in the surrounding area within approximately ¼ of a mile of this property.

Harold Howard asked if the other doublewides on the road are for accessory care provider.

Randy Hawkins stated that the doublewides there now were either there before zoning or they have replaced singlewides. He stated that the reason they asked for R-S instead of R-T was that R-S would limit this to 1 doublewide.

Chairman Anderson opened the public hearing concerning Parallel Conditional Use Rezoning No. 111 – Michael Wright, applicant.

Steve Hoyle, 2120 Smith Farm Road, asked who owns the trailer now. He stated that he is speaking for some people on the road who are against this change. He stated that this will hurt property values. Mr. Hoyle presented a petition against the change. He stated that the neighborhood is not against the Wright's, they just don't support this change. Mr. Hoyle stated that last Monday, he talked to Michael's grandfather. His grandfather said that he is supposed to provide 1 meal per day and clean his grandfather's house and does not do it.

Miles Weathers stated that he owns property and is building a house on Smith Farm Road. He presented pictures of the mobile home currently on the property. He stated that he doesn't have any animosity towards Michael or his family. He stated that in the future, Wayne Wright will have to have better care and then maybe Michael could move into his house. Mr. Weathers said that he does not like mobile homes and would like to get Michael's family out of them instead of putting them in to a larger mobile home. He stated that this is restricted to 1 doublewide, but opens the door for more mobile homes.

Michael Wright, 2049 Smith Farm Road, stated that he works 60 hours per week. He stated that his parents live in a doublewide across the road that he grew up in. Mr. Wright said he sees nothing wrong with growing up in a doublewide, because you have to start somewhere. He said he cannot afford a loan to build a stick-built house. Mr. Wright said that with this change, he can only put one doublewide on this property. He stated that he and his family are just trying to get by.

Commissioner Funderburk stated that he had received one call opposed to this.

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

Parallel Conditional Use Rezoning No. 112 – David Wulfhorst, applicant: Having been sworn by the Clerk, the following individuals presented information concerning Parallel Conditional Use Rezoning No. 112 – David Wulfhorst, applicant.

Randy Hawkins presented the following information concerning Parallel Conditional Use Rezoning No. 111 – David Wulfhorst, applicant.

The applicant is requesting a parallel conditional use rezoning to rezone a 0.25-acre parcel from Residential Single-Family (R-SF) to Conditional Use Neighborhood Business (CU B-N) to permit an office/storage building. Because the applicant has applied for a conditional use rezoning, the use of the property would be limited to the specified use and to the submitted site plan in the rezoning is approved.

The property is located on the south side of Webbs Road about 600 feet west of Cindy Lane in Catawba Springs Township. It is adjoined by property zoned Planned Residential (P-R) and Residential Single-Family.

Steve Gilbert, Director of Public Utilities, stated that there is no sewer at this location and will not be for several months.

Randy Hawkins stated that building and sewer permits were issued for this site in 1992, but no action was ever taken.

Commissioner Moore asked if this would be spot zoning.

Randy Hawkins stated that North Carolina does not specifically prohibit spot zoning, however court cases have established that there must be some reasonable basis to zone a small tract different from surrounding property. One factor that the court cases have established is whether the rezoning is compatible with the county's land use plan. In this case, the Land Use Plan does not call for a business district there, but it is not far from an intersection that is identified as a business area. There are several other factors that provide a basis for zoning a small tract different from the surrounding zoning. There are a couple power substations nearby, an industrial site nearby (Sani-Can) and the convenience site. The size of the tract can also be considered.

Commissioner Moore stated that it seems like such a small tract for rezoning.

Chairman Anderson opened the public hearing concerning Parallel Conditional Use Rezoning No. 112 – David Wulfhorst, applicant.

Todd Wulfhorst stated that he is an Attorney and son of the applicant. He stated that his dad purchased the property in 1992 and a building permit was issued. His father was in a partnership that split. Mr. Wulfhorst stated that his father is now retired and would like to have a shop to work in. He said that there are 2 power substations near the property

Sani-can has porta jons sitting around, and the convenience site is nearby. There are also mobile homes nearby, one of which is a 1968 model. Mr. Wulforth stated that his father owns 9 lots there and would not want to hurt the property values, since he plans on building homes there. He said that the shop will only have one bathroom, so the septic system should fit on the lot.

David Wulforth stated that the building is a pre-engineered building that was bought in 1992 and has been stored on the lot ever since. He stated that he is retired and wants a shop to be able to get out of the house.

Commissioner Mitchem asked what kind of shape the building is in.

Mr. Wulforth stated that the building has been covered on the site, but he may need to replace the sheet metal.

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

Report from NCDOT: Steve Rackley and Jackie McSwain reported on current NCDOT projects. He stated that three projects are underway for the NC 16. The funds are set up to completely finish those. Next on the priority list is the intersection at NC 16 and NC 73. They are trying to get spending authority on this and hope to start on this early next year. Projects on Club Drive are on hold for now. Funding and spending authority is in place for the Airport Road realignment. Lincoln County Elementary and Lincoln Middle School bus parking is still funded and will be finished.

The project on Highway 16 from south of Triangle Road to NC 73 is under construction. From North Hager Road to Denver City Limit is under construction. From south of Triangle Road to north Hager Hollow, bids have been received but no construction has started yet.

Triangle Road to 73 will be widened to 3 lanes and should be completed by early fall.

Jackie McSwain stated that the 1st grading section on new NC 16 will be partially accepted possibly tomorrow. That is the 4 lane section from Gaston County line to 73. There is a contractor, REA Construction, working on paving. The completion date of that leg will be 12/06 and it will be spring of 07 before cars will be traveling on that section. Grading from 73 to the Jones Fish Camp area has been awarded and has started. This will be completed May of 08. Paving will be let August of 08 and has a completion of October of 2011. From the Jones Fish Camp to Abernathy Center is not being designed at this time.

Secondary roads paving has stopped for the time being.

The Planning Board reconvened to the 2nd floor balcony.

Purchase of Computer Equipment for DSS: Dante' Patterson presented information on Dell computers and IBM computers. He stated that the costs for Dell and IBM computers are very similar, but we do not pay shipping for IBM. This makes the cost for IBM less expensive. He stated that even though IBM has been sold, he expects the same service.

It was the consensus of the Board to approve the expenditure for the computers and ask for a budget adjustment to be brought before the Board.

Sheriff and Register of Deeds Pay Study Committee Report: Jim Lail presented the findings from the Pay Study Committee for the salaries of the Sheriff and Register of Deeds. The committee is recommending increasing the Sheriff's salary by 2.5% to \$70,348.61 and the Register by 5% to \$53,584.66.

The Board thanked the committee for their hard work and agreed that this issue will be taken up further as part of the budget process.

Update on Grants: Susan Spake reported on Homeland Security Grant expenditures from 2002 to 2004.

Recreation Resolution: A MOTION by Commissioner Funderburk to adopt the Resolution to Call for Referendum on Special Tax for Recreation with the amendment that the Referendum will be scheduled for the November General Election in 2006.

Commissioner Moore asked if the intent of this was to eliminate the money in the budget that is currently used for Recreation spending.

Commissioner Funderburk stated that this special tax would be used to fund recreation.

Commissioner Moore asked if this would decrease the tax rate by 2 cent. She stated that there should be public input and public meetings before the referendum is held.

Commissioner Patton stated that this referendum lets the citizens vote for what they want.

Commissioner Funderburk stated that if this referendum passes, the money would no longer be in the budget, if it does not pass, the Recreation funding would remain in the budget.

Commissioner Moore stated that there is already an established county Recreation Department and she feels it would be better working through the budget now instead of having a separate tax rate. She stated that the county should provide recreation services.

Commissioner Anderson stated that a 2 cent tax would generate the same revenue as is currently in the Recreation budget. It will be understood that the recreation tax can go up to 5 cent. He stated that by the middle of April, the Board should meet with the Recreation Commission to determine what facilities are needed.

Vote: 4 – 1 AYES: Funderburk, Anderson, Patton, Mitchem

NOES: Moore

**RESOLUTION TO CALL FOR
REFERENDUM ON SPECIAL TAX FOR RECREATION**

WHEREAS, the Lincoln County Board of Commissioners recognizes the need for expanded and improved recreational facilities to serve the citizens of Lincoln County; and

WHEREAS, Lincoln County has the authority, pursuant to Section 153A-149(c)(25) of the North Carolina General Statutes, to levy property taxes to establish, support, and maintain public parks and programs of supervised recreation; and

WHEREAS, pursuant to Section 153A-149(d) of the North Carolina General Statutes, the Board of Commissioners has the authority to call a referendum on approval of a property tax levy for recreational purposes; and

WHEREAS, the Board believes it would be appropriate and worthwhile to allow the citizens of Lincoln County to decide whether to authorize such a tax levy on themselves for such purposes;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, pursuant to Sections 153A-149(c)(25) and 153A-149(d) of the North Carolina General Statutes, that the Lincoln County Board of Commissioners requests that the Lincoln County Board of Elections hold a referendum at the November 2006 general election on the proposition specified on the proposed sample ballot attached hereto as Exhibit A and incorporated herein by reference. This resolution supersedes and replaces the motion made and approved on this subject at the March 21, 2005, meeting of the Lincoln County Board of Commissioners.

Adopted this 4th day of April, 2005.

LINCOLN COUNTY

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

ATTEST:

Amy S. Long, Clerk to the
Board of Commissioners

EXHIBIT A
PROPOSITION TO THE VOTERS OF LINCOLN COUNTY

Shall Lincoln County be authorized to levy annually a property tax at a rate not in excess of five cents (\$.05) on the one hundred dollars (\$100.00) value of property subject to taxation for the purpose of establishing, supporting, and maintaining public parks and programs of supervised recreation?

Relocation of West Lincoln Booster Pump Station: Steve Gilbert stated that Public Works is receiving complaints from a water customer on NC 27 West concerning reduced water pressure and flow during the time when the West Lincoln Booster Pump Station is operated to refill the Northbrook Water Tank. The best solution to this problem is to have the Pump Station relocated to an area approximately between Guy Heavner Road and Alf Hoover Road. Several owners have been contacted in this area about allowing the County to purchase enough property to locate the station, but this effort has not been successful. He asked the Board for guidance as to the next step in getting the station relocated.

The Board discussed the most desirable property for this pump station, which is the Cline property. It was the consensus for Steve Gilbert and Jeff Taylor to contact these property owners and try to negotiate a price for the purchase of the property, up to \$5,000. If this is not successful, the property will have to be condemned.

Closed Session: UPON MOTION by Commissioner Funderburk, the Board voted unanimously to go into Closed Session to discuss a personnel matter and a contractual matter that is confidential pursuant to N.C.G.S. 143-318.11

UPON MOTION by Commissioner Patton, the Board voted unanimously to go out of Closed Session.

Chairman Anderson stated that no action was taken in Closed Session.

Jeff Taylor asked the Board to authorize the extension of the airport lease for 10 more years to pay for the airport hangars.

UPON MOTION by Commissioner Patton, the Board voted unanimously to extend the lease for the Airport to pay for the Airport hangars.

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

Amy S. Long, Clerk
Board of Commissioners

Thomas R. Anderson, PE, Chairman
Board of Commissioners