

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 17, 2012

The Lincoln County Board of County Commissioners met December 17, 2012 at the Citizens Center, Auditorium, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Alex E. Patton, Chairman
George Arena, Vice Chair
James A. Klein
Carl E. Robinson, Jr.
Carrol Mitchem

Others Present:

George A. Wood, County Manager
Martha W. Lide, Assistant County Manager
Wesley L. Deaton, County Attorney
Amy S. Atkins, Clerk to the Board

Call to Order: Chairman Patton called the December 17, 2012 meeting of the Lincoln County Board of Commissioners to order and gave the Invocation.

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

UPON MOTION by Commissioner Robinson, the Board voted unanimously to adopt the agenda as presented.

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, December 17, 2012
6:30 PM

James W. Warren Citizens Center
115 West Main Street
Lincolnton, North Carolina

Call to Order

Invocation – Chairman Patton

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda

- Ordinance #2012-30: An Ordinance Amending the FY 2013 Budget for the County of Lincoln, North Carolina

- Ordinance #2012-31: An Ordinance Amending the FY 2013 Budget for the County of Lincoln, North Carolina
- Approval of Minutes -
- Tax Requests for Refunds - Over \$100
 - November 5 - 18, 2012
- Reclassification of position for Sheriff Carpenter

3. Recognition of East Lincoln Football Team
4. Road Naming Public Hearing for Gold Springs Way - Netta Anderson
5. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
6. Motion to Approve CDBG Grant Administration Contract with Wooten for Oaklawn Project - Martha Lide
7. Motion to amend the Mecklenburg Union MPO boundaries in Lincoln County encompassing what was originally designated to go into Gaston Urban Area MPO - Andrew Bryant
8. Motion to Award the Contract for Water Meter Replacement to Atlantic Coast Contractors, Inc. in the amount of \$216.50 per meter with a maximum price of \$184,025.00 - Don Chamblee
9. Motion to authorize the County Manager to execute the contract with the lowest bidder, Gilbert Engineering, in the amount of \$3,449,000 for the Lincoln County Water Treatment Plant Improvements - Don Chamblee
10. Motion to approve the Sole Source Purchase of two ambulances for \$259,756.00 to Northwest Emergency Vehicles - Ron Rombs
11. Motion to approve hiring of six additional personnel to staff Medic 9 at the new Howards Creek EMS Substation - Ron Rombs
12. Motion to Exercise Option to Purchase Property for Parks and Recreation Maintenance at 874 Startown Road - George Wood
13. Motion to Approve Safety Manual as proposed by the Safety Committee - Martha Lide
14. Finance Officer's Report (detailed report) - Deanna Rios
15. County Manager's Report
 - Property Tax Collection Report
16. County Commissioners' Report
17. County Attorney's Report
18. Vacancies/Appointments
19. Calendar
20. Other Business
 - Register of Deeds Report
 - End of Year Secondary Road Report from NCDOT

Adjourn

Consent Agenda: UPON MOTION by Commissioner Klein, the Board voted unanimously to approve the Consent Agenda.

- Ordinance #2012-30: An Ordinance Amending the FY 2013 Budget for the County of Lincoln, North Carolina
- Ordinance #2012-31: An Ordinance Amending the FY 2013 Budget for the County of Lincoln, North Carolina
- Approval of Minutes – November 5, 2012; November 19, 2012
- Tax Requests for Refunds - Over \$100
 - November 5 - 18, 2012
- Reclassification of position for Sheriff Carpenter

**ORDINANCE #2012-30: AN ORDINANCE AMENDING THE FY 2013 BUDGET
FOR THE COUNTY OF LINCOLN, NORTH CAROLINA**

THAT WHEREAS, the Lincoln County Board of Commissioners adopted the FY 2013 Budget by approving Ordinance #2012-11 on June 28, 2012; and

WHEREAS, the Finance Director and County Manager are recommending further amendments as shown on the attachments herein; and

WHEREAS, the Lincoln County Board of Commissioners wishes to approve these proposed budget amendments;

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Board of Commissioners of Lincoln County, North Carolina, that the FY 2013 Budget previously adopted is hereby amended as follows:

Section 1. That the Capital Project Ordinance Amendment attached hereto, and incorporated herein by reference as Exhibit A to Ordinance #2012-30, is hereby approved and adopted as an amendment to the FY 2013 Budget.

Section 2. That this amendment to the budget shall become effective immediately upon its adoption by the Board of Commissioners.

Passed and adopted this 17th day of December, 2012.

BY: _____
Alex E. Patton, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board

EXHIBIT A to Ordinance #2012-27

Capital Project Ordinance Amendment numbered 8.

**ORDINANCE #2012-31: AN ORDINANCE AMENDING THE FY 2013 BUDGET
FOR THE COUNTY OF LINCOLN, NORTH CAROLINA**

THAT WHEREAS, the Lincoln County Board of Commissioners adopted the FY 2013 Budget by approving Ordinance #2012-11 on June 28, 2012; and

WHEREAS, the Finance Director and County Manager are recommending further amendments as shown on the attachments herein; and

WHEREAS, the Lincoln County Board of Commissioners wishes to approve these proposed budget amendments;

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Board of Commissioners of Lincoln County, North Carolina, that the FY 2013 Budget previously adopted is hereby amended as follows:

Section 1. That the Capital Project Ordinance Amendment attached hereto, and incorporated herein by reference as Exhibit A to Ordinance #2012-31, is hereby approved and adopted as an amendment to the FY 2013 Budget.

Section 2. That this amendment to the budget shall become effective immediately upon its adoption by the Board of Commissioners.

Passed and adopted this 17th day of December, 2012.

BY: _____
Alex E. Patton, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board

EXHIBIT A to Ordinance #2012-2

Capital Project Ordinance Amendment numbered 5.

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (NOVEMBER 5, 2012 - NOVEMBER 18, 2012)

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

<u>NAME</u>	<u>YEAR</u>	<u>DISTRICT</u>	<u>A/C #</u>	<u>AMOUNT</u>	<u>REASON</u>
1ST CITIZENS BANK	2012	CITY	0231746	\$2,830.05	AMENDED LISTING
				TOTAL	\$2,830.05

LINCOLN CITY TAX DEPARTMENT
MOTOR VEHICLES

REQUEST REFUNDS

PERIOD COVERED (NOVEMBER 5, 2012-NOVEMBER 18, 2012)

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

<u>NAME</u>	<u>YEAR</u>	<u>DISTRICT</u>	<u>A/C #</u>	<u>AMOUNT</u>	<u>REASON</u>
ORNDORFF, DONALD B.	2012	DFD	0165868	\$111.62	PRO-RATED BILL
			TOTAL	\$111.62	

Recognition of East Lincoln High School Football Team: The Board presented certificates to the coaches and players on the East Lincoln High School Football Team and congratulated them on their championship season. He presented them with a Resolution Honoring them for their accomplishments.

Road Naming Public Hearing for Gold Springs Way – Netta Anderson: Netta Anderson presented the following information:

This road is located off of Shanklin Lane and requires naming due to a plat being recorded. The road name proposed is Gold Springs Way and was agreed to by all residents. The name is not a duplicate or sound-alike and has been approved by Communications.

Chairman Patton opened the public hearing. Being no speakers, he closed the public hearing.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the road name for Gold Springs Way.

Public Comments:

Martin Oakes, 8057 Lucky Creek Lane, Denver, presented pictures of a closed gas station that has been turned into a car lot. He asked the Board to amend the ordinance to be able to address this matter.

Robert Avery, 843 Newton Lane, Lincolnton, spoke concerning House Bill 1656 concerning the Board of Equalization and Review.

Motion to Approve CDBG Grant Administration Contract with Wooten for Oaklawn Project: Randy Williams presented the following:

Staff is requesting approval of the administration professional services agreement for the grant administration for the Catalyst Grant awarded from the State to the Oaklawn Project. RFPs were sent out for grant administration and two bids were received. The Wooten Company was the low bidder in the RFP and had more experience. This contract is for \$43,000 and comes out of the grant funds.

UPON MOTION by Commissioner Martin, the Board voted unanimously to approve the Grant Administration Contract with Wooten for \$43,000 for the Oaklawn Project.

Motion to amend the Mecklenburg Union MPO boundaries in Lincoln County encompassing what was originally designated to go into Gaston Urban Area MPO -

Andrew Bryant presented the following:

In August 2012 the Board of Commissioners adopted a set of proposed boundaries the split up transportation planning geographies between the Mecklenburg-Union Metropolitan Planning Organization (MPO), Gaston Urban Area MPO and the remnant of the Lake Norman Rural Planning Organization (RPO). This boundary adoption was based off Federal Highway Administration (FHWA) guidance that placed Urbanized Area's into the MPO from which they originated. Since the August adoption the FHWA has offered revised guidance that allows the Mecklenburg-Union MPO and the Gaston Urban Area MPO to enter into a Memorandum of Understanding that would allow for the Mecklenburg-Union MPO to perform the transportation planning responsibilities for this small area.

Staff recommends this change since it will reduce administrative burden, costs and simplifies the meeting logistics for both elected officials and staff. Upon Board of Commission approval staff will move forward with placing the revised boundary on the MPO agenda for their consideration. The MPO staff and leadership has expressed approval of this proposal.

UPON MOTION by Commissioner Robinson, the Board voted unanimously to amend the Mecklenburg Union MPO boundaries in Lincoln County encompassing what was originally designed to go into Gaston Urban Area MPO.

Motion to Award the Contract for Water Meter Replacement to Atlantic Coast Contractors, Inc. in the amount of \$216.50 per meter with a maximum price of \$184,025.00: Don Chamblee presented the following:

The meter replacement bids were received on December 4, 2012 from seven bidders ranging from \$216.50 per meter to \$305.00 per meter. The lowest responsive bid was submitted by Atlantic Coast Contractors, Inc. It is recommended and requested that based on the bid received, that Atlantic Coast Contractors, Inc. be awarded the contract. It is estimated that Lincoln County will be able to replace approximately 850 meters (about 8 percent) with the funds budgeted this year.

The CIP Budget includes a line item this year of \$150,000 to continue the replacement of the old manual read meters with new radio read meters. This project is part of a multi-year plan to replace the manually read meters in Lincoln County's system to more updated meters that transmit reads to a laptop to potentially increase our revenue volume and improve water loss accountability. The balance of the \$34,025.00 would be transferred from fund balance to cover the remaining costs. The contract duration is 120 days.

The meter replacement project was originally advertised with bid openings on July 19, 2012 with fourteen bids ranging from \$212.00 per meter to \$359.62 per meter. The low bid on July 19, 2012 was submitted by Carolina Quality Construction, Inc., who eventually failed to execute the contract agreement.

Staff recommends and requests the Board of Commissioners approval to award the contract to Atlantic Coast Contractors, Inc. in the amount of \$216.50 per meter with a maximum price of \$184,025.00.

UPON MOTION by Commissioner Martin, the Board voted unanimously to award the contract to Atlantic Coast Contractors Inc. in the amount of \$216.50 per meter with a maximum price of \$184,025.00.

Motion to authorize the County Manager to execute the contract with the lowest bidder, Gilbert Engineering, in the amount of \$3,449,000 for the Lincoln County Water Treatment Plant Improvements Don Chamblee presented the following:

The Lincoln County Water Treatment Plant was built in 1992. In 2011 Lincoln County Public Works retained Goodwyn Mills and Cawood to design, repairs, upgrades and improvements to the existing facility.

On November 29, 2012 Lincoln County opened bids for this project. There were five bidders with bids from \$3,449,000 to \$4,000,000.

Mr. Chamblee requested that the Board authorize the County Manager to execute the contract with the lowest apparent bidder, Gilbert Engineering, in the amount of \$3,449,000.

UPON MOTION by Commissioner Klein, the Board voted unanimously to authorize the County Manager to execute the contract with the lowest apparent bidder, Gilbert Engineering, in the amount of \$3,449,000.

Motion to approve the Sole Source Purchase of two ambulances for \$259,756.00 to Northwest Emergency Vehicles: Ron Rombs presented the following:

The Lincoln County Board of Commissioners has approved money (\$377,000, line 44-4370-5540-0000) in the capital improvement account for the purchase of two Type III GMC Cutaway Chassis for FY 2012-2013.

This request is for a waiver of formal bid requirements to use a sole source purchase. The prices quoted are below the cost of several municipal (Surry and Forsyth Counties) purchases made under formal bid.

Mr. Rombs requested this purchase be approved and a purchase order be issued to Northwestern Emergency Vehicles for the purchase of three new American Emergency Vehicle ambulances at \$129,878.00 each. The total purchase is \$259,756.00.

These units will be identical to the rest of our fleet and will replace the last of the existing Fords. They will enhance our ability to start the remount program next year, which will reduce the purchase price even more.

These ambulances will be purchased from Northwestern Emergency Vehicles. All of our ambulances purchased in the past ten years have been from NWEV and are identical. Northwestern is based in West Jefferson, North Carolina and offers superior customer service and support.

UPON MOTION by Commissioner Martin, the Board voted unanimously to approve the Sole Source Purchase of two ambulances for \$259,756.00 to Northwest Emergency Vehicles.

Motion to approve hiring of six additional personnel to staff Medic 9 at the new Howards Creek EMS Substation: Mr. Rombs presented the following:

Over the last five years, the call volume and incidents of patient criticality for EMS has increased by 5 - 9 % each year. With the continued increase in call volume within the county and the steady increased of calls within the western section of the county, Lincoln County has collaborated with Howards Creek Volunteer Fire Department to add an EMS substation to their new facility.

In keeping with the departmental goal of reducing response times by 2% each year, we will relocate an Advanced Life Support ambulance at this facility when it is completed. In order to staff this unit 24 hours a day, seven days a week, additional personnel are required.

Mr. Rombs requested the following personnel change to enhance Lincoln County EMS coverage and increase productivity and efficiency. The requested effective date is January 1, 2013.

ADD 6 Paramedic Positions Grade 16

The two additional Paramedics required to staff this unit will be relocated from Medic 6, which is currently located at Union Fire department.

The cost of these positions can be accomplished for the remainder of this fiscal year with an additional \$137,149 in the Personal Services portion of the budget. The increase in revenues generated by the increased call volume will offset any cost associated with adding these positions. The annual total cost for these positions will be \$274,298.

UPON MOTION by Commissioner Klein, the Board voted unanimously to hire six additional personnel to staff Medic 9 at the new Howards Creek EMS Substation.

Motion to Exercise Option to Purchase Property for Parks and Recreation Maintenance at 874 Startown Road George Wood presented the following:

The Board entered into a lease with the option to purchase this property. The owner did not want to close until after the first of the year. The property is working extremely well and he is recommending exercising the option to purchase the property.

Mr. Wood said the old facility will probably be torn down.

UPON MOTION by Commissioner Robinson, the Board voted unanimously to exercise the option to purchase the property for Parks and Recreation Maintenance at 874 Startown Road.

Motion to Approve Safety Manual as proposed by the Safety Committee - Martha Lide

Martha Lide presented the Safety Manual, which is incorporated by reference and hereby made part of these minutes, to the Board as proposed by the Safety Committee.

UPON MOTION by Commissioner Robinson, the Board voted unanimously to approve the Safety Manual as proposed by the Safety Committee.

Finance Officer's Report – Deanna Rios: Deanna Rios presented the Finance Officer's Report.

County Manager's Report: George Wood presented the Property Tax Collection Report.

County Attorney's Report: Mr. Deaton updated that the Motz case has been dismissed.

Vacancies/Appointments: Commissioner Robinson presented the following:

Vacancies:

- Nursing and Adult Home Community Advisory Committee
- Recreation Commission
 - o Lincolnton Township
- Lincoln Natural Resources
- Industrial Revenues Bond Board
- Library Board – North Brook Township
- Region F Aging Advisory Board – 2 vacancies
- Board of Adjustment – 2 Alternate positions

Appointments:

ABC Board:

Reappoint Mike Davis

Airport Authority:

Appoint Jamie Brown

Board of Equalization and Review:

Reappoint Andrew Sain

Board of Adjustment:
Reappoint Delaine Davis

Nursing and Adult Care Home Community Advisory Committee:

Reappoint:
Julia Gaskill
Sheldon Lutz
Melisa Harrison
Melva Parrot-Eddy

Recreation Commission:

Crystal Mitchem
Lou Ann Cooper

Other Business: Mr. Wood presented Resolutions #2012-62 and #2012-63 for the Board's approval. These resolutions approve the district boundaries and are for an ISO inspection

UPON MOTION by Commissioner Robinson, the Board voted unanimously to approve Resolutions #2012-62 and #2012-63.

Mr. Wood presented a Ground Lease, which Wesley Deaton and Crystal Gettys have been working on. He said this prospect wants to lease the property for a certain time instead of purchasing it and then it becomes theirs. He said they have worked through this and the incentive package is comparable to a sale. Mr. Wood asked for approval of the Ground Lease.

Crystal Gettys said she has been working on this project for over a year. She said this is a Brazilian company and they prefer to have a lease on the land instead of cash grants. The Ground Lease has been given to the client for their review. The decision has not been made to locate in Lincoln County.

UPON MOTION by Commissioner Mitchem and seconded by Commissioner Klein, the Board voted unanimously to approve the Ground Lease.

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

Alex E. Patton, Chairman

Amy S. Atkins, Clerk to the Board