

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 13, 2014**

The Lincoln County Board of County Commissioners met January 13, 2014 at the Citizens Center, Commissioners' Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

**Commissioners Present:**

Alex E. Patton, Chairman  
Carl E. Robinson, Jr., Vice Chair  
James A. Klein  
Carrol D. Mitchem  
Cecelia A. Martin

**Others Present:**

W. Tracy Jackson, 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 January 13, 2014 meeting of the Lincoln County Board of Commissioners to order and led in an Invocation.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, January 13, 2014**  
**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
  - Approval of Minutes
  - Resolution 2014-3
  - Resolution 2014-4

- Resolution 2014-5
- 3. Planning Board Recommendations - Randy Hawkins
  - CUP #326 American Tower Corp., applicant (Parcel ID# 25789)
  - UDO Proposed Amendments #2014-1 Sean Hughes, applicant
  - CZ #2014-1 Steven and Danielle Maggs, applicants (Parcel ID# 29690)
- 4. Gaston-Cleveland-Lincoln MPO Coordinated Transit Plan Presentation - Bjorn Hansen
- ~~5. Motion to Approve a Fleet Services Maintenance Agreement Between Lincoln County and Lincoln County Schools - Tracy Jackson~~
- 6. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
- 7. Update on Capital Improvement Projects - Don Chamblee
- 8. Finance Officer's Report - Deanna Rios
- 9. County Manager's Report
- 10. County Commissioners' Report
- 11. County Attorney's Report
- 12. Vacancies/Appointments
- 13. Calendar
- 14. Other Business
  - Register of Deeds Report
  - Property Tax Collection Report
- 15. Closed Session Pursuant to NCGS § 143-318.11
  - (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body

Adjourn

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to adopt the agenda removing Item 5.

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

- Approval of Minutes
  - November 4, 2013
  - November 18, 2013
  - December 2, 2013
  - December 16, 2013
- Resolution 2014-3
- Resolution 2014-4

## - Resolution 2014-5

### **Recommendations from Planning Board:**

Randy Hawkins presented the following recommendations:

**CUP #326 American Tower Corp., applicant** (Parcel ID# 25789) A request for a conditional use permit to erect a 195-foot wireless telecommunications tower in the R-T (Transitional Residential) district. The proposed site is on an 11-acre tract located at 1875 Buffalo Shoals Road, on the west side of Buffalo Shoals Road at Sandy Park Road, in Ironton Township.

The Planning Board voted 6-0 to recommend approval with the following condition: A landscaped vegetative buffer shall be provided around the perimeter of the wireless communications facility to effectively screen the view of the equipment compound from surrounding perspectives. The buffer shall consist of native trees and shrubs that at maturity will be 10 feet tall or more.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the recommendation from the Planning Board for Conditional Use Permit No. 326 and the Findings of fact.

**UDO Proposed Amendments #2014-1 Sean Hughes, applicant.** A proposal to amend the Lincoln County Unified Development Ordinance as follows:

- 1) Amend Section 2.2.1 to make a telecommunications tower 101-325 feet in height a conditional use in the R-S and R-SF districts.
- 2) Amend Section 4.3.7 to add screening and fencing requirements for equipment compounds for telecommunications towers.

The Planning Board voted to recommend approval with the following revision regarding Section 4.3.7.M: All antenna support structures shall be enclosed by security fencing not less than six (6) eight (8) feet in height.

There was a discussion concerning the different zoning districts and the tower heights allowed in them.

## **A MOTION** by Commissioner Klein to table the request.

VOTE: 4 - 1

AYES: Klein

NOES: Patton, Robinson, Mitchem, Martin

**UPON MOTION** by Commissioner Martin, the Board voted 4 – 1 (Klein against) to approve the Statement of Consistency and Reasonableness.

**UPON MOTION** by Commissioner Mitchem, the Board voted 4 – 1(Klein against) to approve the request.

**CZ #2014-1 Steven and Danielle Maggs, applicants** (Parcel ID# 29690) A request to rezone 0.73 acre from B-N (Neighborhood Business) to CZ I-G (Conditional Zoning General Industrial) to permit an expansion of a self-storage facility. The property is located on the west side of N.C. 16 Business about 250 feet north of Galway Lane in Catawba Springs Township.

The Planning Board voted 6-0 to recommend approval.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the Statement of Consistency and Reasonableness.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the rezoning request.

**Gaston-Cleveland-Lincoln MPO Coordinated Transit Plan Presentation:** Bjorn Hansen with Centralina Council of Government, presented the following:

The area public transportation systems, both demand-response and fixed-route, are required to update their locally-coordinated plan every four years. This plan was first completed in 2009 for the Lake Norman RPO, and is now being updated for the Gaston-Cleveland-Lincoln MPO. The current plan includes Cleveland, Gaston, and Lincoln counties, as well as Iredell County. All transit projects proposing to use FTA Section 5310, 5311, 5216, and 5317 funds must come from an adopted locally-coordinated plan.

The recommendations of the plan are shown below. These recommendations will go before the Transportation Advisory Board (TAB) for each of the four counties, as well as to the GCLMPO TCC is asked for feedback and recommendation to the MPO Board, which serves as the TAB for the Gastonia Transit system. The recommendations in this plan are not binding on the local systems to implement. Rather, they represent the universe of potential projects that may be selected for implementation by the affected transit systems.

The recommendations for Transportation Lincoln County are as follows:

- Purchase additional vehicles
- Build park and ride lots
- Develop van pools
- Expand hours of service
- Expand deviated route service

Commissioner Klein expressed concerns that this is asking the state and feds for money that they clearly do not have. He said he will be voting against

**UPON MOTION** by Commissioner Robinson, the Board voted 4 – 1 (Klein against) to approve the Gaston-Cleveland-Lincoln MPO Coordinated Transit Plan as presented.

**Public Comments:** Chairman Patton opened public comments.

Robert Avery, 4466 Hwy. 182, Crouse, spoke concerning organization and reorganization of the County Commissioners.

Being no speakers, Chairman Patton closed public comments.

**Update on Capital Improvement Projects:** Don Chamblee presented an update on Capital Improvement Projects.

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

**County Manager's Report:** Nothing reported.

**County Attorney's Report:** Nothing reported.

**County Commissioners' Report:** Nothing reported.

**Vacancies/Appointments:** **UPON MOTION** by Commissioner Robinson, the Board voted unanimously to make the following appointments:

Appointments:

- Community Child Protection/Child Fatality Team
  - Appoint Lt. Tim Johnson (Sheriff's appointment)
- Fireman's Relief Fund
  - Denver: Mr. Marty Hovis
  - Crouse: Charles Hayes
  - Howard's Creek: Richard David Houser
- City of Lincolnton Planning Board – ETJ
  - Becky Burke – Term ending 12/30/16

Reappoint:

- Board of Adjustment
  - Ronald Smolen – Alternate – Term ending 12/31/17
- Nursing and Adult Care Home Advisory Committee -
  - Tanis Lanier – Term ending 6/30/16
  - Sara Dalton – Term ending 2/1/17
  - Carolyn Avery – Term ending 2/1/17
  - Dianne Painter - Term ending 2/1/17

- ABC Board
  - Marty Mull – Term ending 10/31/16
- Recreation Commission
  - Brian Rabalais – Term ending 6/30/16
  - Pete Capece – Term ending 6/30/16
- Board of Equalization and Review
  - Steve Banner – Term ending 12/31/2016
  - Richard Permenter – Term ending 12/31/2016
  - Dean Lutz - Term ending 12/31/2016
  - Move Michael Kolosowsky to ALTERNATE – Term ending 12/31/2016
- Region F Aging Advisory
  - Charles Mize – Term ending 6/30/15
  - Sue Jane Sides – Term ending 6/30/15
  - Elizabeth Mize – Term ending 6/30/14

**Closed Session:** **UPON MOTION** by Commissioner Robinson, the Board voted unanimously to enter Closed Session pursuant to NCGS § 143-318.11 (a) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

The Board returned to open session and Chairman Patton announced that no action was taken in closed session.

**Recess:** **UPON MOTION** by Commissioner Robinson, the Board voted unanimously to recess until January 21, 2014 at 6:30 p.m. for a joint meeting with the Board of Education, 353 North Generals Blvd, Lincolnton, NC.

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Amy S. Atkins, Clerk  
Board of Commissioners

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Alex E. Patton, Chairman  
Board of Commissioners