

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JUNE 2, 2014**

The Lincoln County Board of County Commissioners met June 2, 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:

Tracy Jackson, County Manager  
Martha W. Lide, Assistant County Manager  
Wesley L. Deaton, County Attorney  
Amy S. Atkins, Clerk to the Board

Planning Board Members:

Christine Poinsette, Chair  
Darrell Gettys, Vice-Chair  
Todd Burgin  
John Dancoff  
Dr. Crystal Mitchem  
Floyd Dean  
Keith Johnson

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, June 2, 2014**  
**6:30 PM**

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

Call to Order

1. Adoption of Agenda Motion to adopt adding Budget Adjustment #10 in Consent and removing Item 5
2. Consent Agenda
  - Tax Requests for Releases - Over \$100
    - April 16 - May 15, 2014
  - Tax Requests for Refunds - Over \$100
    - April 21 - May 4, 2014
  - CDBG Monthly Status Update
  - Minutes for Approval
  - Surplus Property
  - Sheriff's Office Purchase Orders
  - Special Event Waived Fees
    - DABA Fireworks
    - Denver Days
  - HCCBG Timetable and 2015 Funding Plan
  - Budget Adjustment #10
3. Public Hearing - Fiscal Year 2015 Budget and CIP
4. Zoning Public Hearings - Randy Hawkins

CUP #338 John Bailey, applicant (Parcel ID# 30939) A request for a conditional use permit to operate an outdoor recreation facility, a paintball play area, in the R-T (Transitional Residential) District. The proposed 30-acre site is located on the east side of Old Plank Road at Mariposa Road in Catawba Springs Township.

- ~~5. Public Hearing—Industrial Incentive Grant for New Industry—Crystal Gettys~~
6. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
7. Dedication of Rock Springs Nature Preserve - Erma Deen Hoyle
8. Interlocal Agreement with the City of Lincolnton for Mass Notification System - Martha Lide
9. Motion to Award Generator Service to Power Pro-Tech - John Henry
10. Approval of Annual Local Water Supply Plan
  - Motion to Approve Resolution #2014-17: Resolution for Approving the 2012 Lincoln County Water System Local Water Supply Plan
11. Motion to approve construction of an eastbound turn lane on Optimist Club at Airlie Parkway - Don Chamblee
12. Other Business
13. Closed Session
  - § 143-318.11. Closed sessions. (a)**
    - (4) To discuss matters relating to the location or expansion of industries or other businesses in

the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee;

Recess to Friday, June 6 at 9:00 a.m. in the Commissioners' Room for a Budget Work Session

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to adopt the agenda adding Budget Adjustment No. 10 and removing Item 5.

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

- Tax Requests for Releases - Over \$100
  - April 16 - May 15, 2014
- Tax Requests for Refunds - Over \$100
  - April 21 - May 4, 2014
- CDBG Monthly Status Update
- Minutes for Approval
- Surplus Property
- Sheriff's Office Purchase Orders
- Special Event Waived Fees
  - DABA Fireworks
  - Denver Days
- HCCBG Timetable and 2015 Funding Plan

\*Items listed in the Consent Agenda are on file in the office of the Clerk to the Board and are hereby made a part of these minutes as though fully set forth herein.\*

**Public Hearing on FY 2015 Budget:** Chairman Patton opened the Public Hearing on the FY 2015 budget.

Susie Martin spoke on behalf of Lincoln County Home Health. She asked for support from the Commissioners for Home Health, saying they have had a hard year as all in the medical field have.

Dr. Cordell Scott, 704 N. Laurel Street, Lincolnton, NC, spoke as Chairman of the Board of Health and asked for the Board's continued support as deliberations continue on the county budget for next year. She spoke about the shortage of school nurses and the need for additional funding for this.

**Zoning Public Hearings:** Randy Hawkins presented the following:

**CUP# 338 - John Bailey, applicant** Parcel ID# 30939 (easternmost portion)

The applicant is requesting a conditional use permit to operate an outdoor recreation facility, a paintball play area, in the R-T (Transitional Residential) district. Under the Unified Development Ordinance, an outdoor recreation facility is a conditional use in the R-T district.

The proposed 30-acre site is located on the east side of Old Plank Road at Mariposa Road in Catawba Springs Township. It is part of a 182-acre parcel. It is adjoined by property zoned R-T and B-N (Neighborhood Business). Land uses in this area include residential, agricultural, business and industrial. This property is part of an area designated by the Lincoln County Land Use Plan as industrial.

Chairman Patton opened the public hearing.

John Bailey, applicant, said he would like to open a paintball course in the area to provide a fun, clean, safe family atmosphere for the neighborhood.

Planning Board Chair Christine Poinsette asked if the trees on the site plan will remain on site. Mr. Bailey replied that they would remain, except for the square on the plan that is for the speed ball course area, which will be an acre and a half to two acres.

Sabrina Tate, 5712 Country Lane, Stanley, NC, stated that she lives in that area and is concerned about depreciation of property. She said there is a grandfathered racetrack there and they are concerned about the area being turned into an amusement park. She said they are concerned about the additional traffic, the parking, the quality of life, and the additional noise this will bring and the aesthetics of this.

Being no additional speakers, Chairman Patton closed the public hearing.

The Planning Board was released to the 2<sup>nd</sup> floor balcony to deliberate the case.

**Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person):** Chairman Patton opened public comments.

Scott Reinhardt, 3057 Highway 73, Iron Station said he had a problem last weekend with gun rights. He said he was shooting on his own property and was told to stop. The Deputy said it was too loud. Mr. Reinhardt said he has spoken with the Sheriff and was told to come before the Board. He asked the Board to address this matter.

Chairman Patton said this will be addressed at the budget retreat on Friday, June 6.

Mark Lawing, 1803 Creekmeadow Lane, Lincolnton said he was here in April and spoke to the Board and Planning Board. He said he still has not been contacted by anyone. He spoke in regards to Cline Farms subdivision.

Robert Avery, 4466 Hwy. 182 West, spoke concerning the Board of Equalization and Review and Appraisal Department. He asked for diversity on the Board of Equalization and Review.

Being no additional speakers, Chairman Patton declared public comments closed.

**Dedication of Rock Springs Nature Preserve:** Erma Deen Hoyle presented the following:

The Lincoln County Parks & Recreation Commission met on May 7, 2014, and unanimously approved the dedication of the Rock Springs Nature Preserve in honor of Sylvia Holmes. The Commission recognized her hard work and extensive volunteer hours in the development of recreation facilities for Lincoln County, including the East Lincoln Community Center, Beatty's Ford Park and Rock Springs Nature Preserve. She is also a strong advocate for the Carolina Thread Trail for Lincoln County and the region. Volunteer efforts have included committee meetings, research, presentations to the Board of Commissioners and other community groups, planning meetings and site visits.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to dedicate the Rock Springs Nature Preserve in honor of Sylvia Homes as presented by Ms. Hoyle.

**Motion to Award Generator Servie to Power Pro-Tech:** John Henry, Purchasing Agent presented the following:

It is recommended that the Board award the 2014-15 Generator Service Contract to Power Pro-Tec. The contract will be for 2 years with the option to renew annually for a total of 5 years. The base cost for the Preventive Inspection and Maintenance will be

\$34,838; additional charges for service calls, parts and load testing are also included in the contract. See attached for details on the contractor selection process, bid tabulation sheet and scope of work. The costs of generator maintenance services for 2013-14 YTD have been \$38,512. We anticipate the costs for 2014-15 to be comparable.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to award the bid to Power Pro-Tech as presented.

**Motion to Approve Resolution #2014-17: Resolution for Approving the 2012 Lincoln County Water System Local Water Supply Plan:** Don Chamblee presented the following:

**RESOLUTION FOR APPROVING  
THE 2012 LINCOLN COUNTY WATER SYSTEM  
(PWSID #01-55-035)  
LOCAL WATER SUPPLY PLAN**

**WHEREAS**, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

**WHEREAS**, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Lincoln County Water System, has been developed and submitted to the Lincoln County Board of Commissioners for approval; and

**WHEREAS**, the Lincoln County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for Lincoln County Water System, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Lincoln County Board of Commissioners of Lincoln County Water System that the Local Water Supply Plan entitled, Lincoln County Water System (PWSID #01-55-035) 2012 Water Supply Plan dated January 27, 2014, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

**BE IT FURTHER RESOLVED** that the Lincoln County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projects at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted this the \_\_\_\_ day of May, 2014.

LINCOLN COUNTY

By: \_\_\_\_\_  
Alex Patton,  
Chairman, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Amy S. Atkins,  
Clerk to the Board of Commissioners

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to approve Resolution #2014-17: Resolution for Approving the 2012 Lincoln County Water System Local Water Supply Plan.

**Motion to approve construction of an eastbound turn lane on Optimist Club Road at Airlie Parkway:** Don Chamblee presented the following:

Lincoln County Public Works is seeking approval of a Work Directive to Construct an Eastbound Turn lane on Optimist Club at Airlie Parkway. Optimist Club widening will be added to the Eaglewood contract for Airlie Phase II. The County has a contract for the property across from Airlie for a proposed Solid Waste Convenience Site. Eaglewood has estimated the additional costs for widening Optimist for an eastbound turn lane.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the construction of an eastbound turn lane on Optimist Club Road at Airlie Parkway as presented.

**Other Business:** Chairman Patton presented the Board with a letter concerning the true-up money that will be sent to Lincoln County Schools.

Commissioner Martin asked why addresses cannot be preassigned when a plat is preliminarily approved or recorded. She said that Lincoln and Watauga are the only counties that addresses aren't assigned until a building permit is applied for. She asked Mr. Jackson to get an answer on this issue.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to enter Closed Session pursuant to NCGS § 143-318.11. **Closed sessions.** (a)

(4) To discuss matters relating to the location or expansion of industries or other

businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee;

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

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

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Amy S. Atkins, Clerk  
Board of Commissioners

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Alex E. Patton, Chairman  
Board of Commissioners