

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 20, 2017

The Lincoln County Board of County Commissioners met November 20, 2017 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Bill Beam, Chair
Martin Oakes, Vice Chair
Carrol Mitchem
Anita McCall

Commissioners Absent:

Richard Permenter

Others Present:

Kelly G. Atkins, County Manager
Wesley Deaton County Attorney
Amy S. Atkins, Clerk to the Board

Call to Order: Chairman Beam called the November 20, 2017 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence, asking for everyone to remember the family of Devin Rhyne and led in the Pledge of Allegiance.

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

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, November 20, 2017
6:30 PM

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

Call to Order - Chairman Bill Beam
Moment of Silence
Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
 1. Surplus Property
 2. Tax Request for Releases over \$100 - 9/16 - 10/15/17
 3. 2018 Meeting Schedule

- 3. ~~Motion to Adopt Resolution #2017:13 Resolution Honoring Eagle Scout~~
- 4. Proclamation of Support Pink Heals NC Foothills Chapter, Inc. - Allyson Sigmon
- 5. Planning Board Recommendations - Randy Hawkins
- 6. Public Hearing - Road Name Change to Marietta Place - Netta Anderson
- 7. Public Hearing - Closeout for Scattered Site Housing - Community Development Block Grant - Andrew E
- 8. Transportation Update - Andrew Bryant
- 9. West Lincoln Library Update and Budget Increase Request - John Henry
- 10. Two Way Radio Tower Project - Deanna Rios
- 11. Capital Project Ordinance Amendment #2 - Deanna Rios
- 12. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
- 13. Finance Officer's Report - Deanna Rios
- 14. County Manager's Report
- 15. County Commissioners' Report
- 16. County Attorney's Report
- 17. Vacancies/Appointments
- 18. Calendar
- 19. Other Business

- Information Only - No Action Needed
 - Register of Deeds Report
 - Property Tax Collection Report
- 20. Closed Session to consult with the County Attorney
- Adjourn

UPON MOTION by Commissioner McCall, the Board voted unanimously to adopt the agenda, removing Item 3.

Consent Agenda: Mr. Atkins reviewed the items on the Consent Agenda.

Surplus Property

Tax Requests for Releases over \$100 – 9/16 – 10/15/17

2018 Meeting Schedule

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

Proclamation of Support Pink Heals NC Foothills Chapter, Inc.: Allyson Sigmon asked for the Board's approval of the Proclamation of Support for Pink Heals.

Proclamation of Support Pink Heals NC Foothills Chapter, Inc.,

Whereas, the Pink Heals NC Foothills Chapter, Inc., drives pink fire trucks, ambulances, police cars, and business sponsored vehicles throughout our community and America carrying forth the

“Cares Enough to Wear PINK” movement. This is not a single month of awareness but a yearlong movement among emergency services.

Whereas, Pink Heals NC Foothills Chapter, Inc. is a non-profit 501(C) 3 organization that raises awareness and funds for families and non-profit entities that assist women and their families in the time of need. Pink Heals brings a community together out of LOVE, not on behalf of a cause, ribbon, or a large corporate charity. Pink Heals uses the color PINK to represent women and their families NOT a specific disease or illness. This is not about breast cancer, but about ALL illness and needs within a community that can be cured or supported by keeping all money raised local.

Whereas, Pink Heals NC Foothills Chapter, Inc. is a group of firefighters, police, EMS, and other civil servants who proudly wear PINK. Pink Heals NC Foothills, Inc. is 100% non-profit and 100% volunteer. No one from the organization is paid nor are they compensated in any manner. Whereas, Pink Heals NC Foothills, Inc. is wishing to bring love and support to the citizens of Lincoln County, beginning 12/1/17. This is to be done by assisting families battling ALL illnesses and diseases within the county. This will be done through home/work visits with the PINK vehicles in conjunction with emergency service personnel and businesses in the jurisdiction. This will also be done by raising funds within the community to assist said families with financial needs by direct payments being paid to illnesses based bills.

Whereas, beginning the date of 12/1/17 the County Commissioners, with the support of the citizens of Lincoln County, will support the non-profit of Pink Heals NC Foothills, Inc. The governing body of Lincoln County will support the efforts of Pink Heals NC Foothills, Inc in bringing awareness and financial support to the citizens in Lincoln County.

Now, therefore, I, Bill Beam, Chairman of the Lincoln County Board of Commissioners, do hereby proclaim the support of Pink Heals NC Foothills, Inc. Throughout Lincoln County and encourage all Lincoln County Citizens to recognize the positive impact this nonprofit organizations has on the quality of life of the citizens and the Commonwealth of Lincoln County.

Bill Beam, Chairman

ATTEST:

Amy S. Atkins Clerk to the Board

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve the Proclamation of Support for Pink Heals NC Foothills Chapter, Inc.

Planning Board recommendations: Randy Hawkins presented the following:

CUP #370 Kathleen Shaw, applicant (Parcel ID# 58860) A request for a conditional use permit to host weddings and other events in the R-T (Transitional Residential) zoning district. The 4.0-acre parcel is located at 7138 Kidville Road, on the south side of Kidville Road about 1,000 feet

November 20, 2017

Public Hearing - Zoning

west of Verdict Ridge Drive, in Catawba Springs Township. The Planning Board voted 9-0 to recommend approval with the following conditions: 1) Events shall be limited to Friday, Saturday and Sunday only (with no limit on the yearly number). 2) Events shall be limited to no more than 150 people at any event. 3) No amplified music shall be played outside the barn.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the Findings of Fact for CUP #370 – Kathleen Shaw.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve CUP #370 as recommended by the Planning Board.

ZMA #638 Teramore Development, LLC, applicant (Parcel ID# 50810) A request to rezone 0.7 acres from R-S (Residential Suburban) to B-N (Neighborhood Business). The property is located at the end of Gordon Street about 300 feet northeast of the intersection of N.C. 150 and Lee Lawing Road in Ironton Township. The Planning Board voted 8-1 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for ZMA #638 – Teramore Development, LLC, applicant.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve ZMA #638 – Teramore Development, LLC, applicant.

ZMA #640 Denise Edwards, applicant (Parcel ID# 57451 and 34189) A request to rezone 59 acres from R-T (Transitional Residential) to R-SF (Residential Single-Family). The property is located about 1,500 feet west of Little Egypt Road and 2,000 feet north of N.C. 73 in Catawba Springs Township. The Planning Board voted 9-0 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for ZMA #640 – Denise Edwards, applicant.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve ZMA #640 – Denise Edwards, applicant

PD #2016-5-A Rufus Road Partners, LLC (Parcel ID #32850) A request to amend the master plan for the planned Wildbrook residential development to permit a charter school with grades K-8 on a 10.6-acre portion of the development site currently approved for 30 single-family detached homes. The 73-acre Wildbrook site borders Triangle Circle, Rufus Road and Airlie Parkway in Catawba Springs Township. The Planning Board voted 9-0 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for PD #2016-5-A Rufus Road Partners, LLC, applicant.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve PD #2016-5-A Rufus Road Partners, LLC, applicant.

PD #2014-2-A4 MDSeven Financial, LLC, applicant (Parcel ID# 91817, 91818 and 91819) A request to amend the master plan for the planned Rivercross mixed-use development to permit 135 single-family detached homes and 133 townhomes on a 74-acre portion of the development site currently approved for 220 single-family detached homes, and to amend the master plan in regard to phasing and road improvements. The 116-acre Rivercross site is located on the west side of N.C. 16 Business and the south side of the southern end of Triangle Circle in Catawba Springs Township. The Planning Board voted 8-1 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for PD #2014-2-A4 MDSeven Financial, LLC, applicant.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve PD #2014-2-A4 MDSeven Financial, LLC, applicant.

Public Hearing – Road Name Change to Marietta Place: Netta Anderson presented the following:

This is a request for a proposed road name change from State Road Number 2125 (Service Road) to Marietta Place. This road is located off Mundy Road and requires renaming due to the fact that State Road Number 2125 is an unacceptable Roadway name. The name Marietta Place is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chairman Beam opened the public hearing concerning the road name change to Marietta Place. Being no speakers, Chairman Beam declared the public hearing closed.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the road name change to Marietta Place.

Public Hearing – Closeout for Scattered Site Housing - Community Development Block:
Chairman Beam opened the public hearing for the Closeout for the Scattered Site House Community Development Block Grant.

Being no speakers, Chairman Beam declared the public hearing closed.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Resolution for Closeout for Scattered Site Housing – Community Developmeng Block Grant.

Transportation Update: Andrew Bryant presented a transportation update, a copy is hereby incorporated into this set of minutes and attached hereto.

West Lincoln Library Update and Budget Increase Request: Jim Powell, Mike Newton and Mike Esposito with ADW Architects presented information concerning the West Lincoln Library. Mr. Newton presented drawings and floorplans of a 12,000 sq. ft. building

John Henry requested a budget increase based on the conceptual drawings with construction estimates based on the drawings. The original amount budgeted was based on a 10,000 sq. ft. facility and did not include furnishings.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve a construction budget change, not to exceed \$3,900,000, which includes soft costs, with a minimum square footage of 12,339.

Two Way Radio Tower Project: Deanna Rios asked for approval to pay Two Way Radio for invoices. The Tower Project that was closed in FY 17 has some invoices that have not been paid. County staff cannot find a signed contract with the vendor, just the unsigned copy.

Several years ago, the County had Two Way Radio install towers and radio equipment in several areas of the County in order to improve the radio communication in the County. There are three unpaid invoices to Two Way that were unknown to current County staff until recently. The BOC needs to approve in order to pay the invoices since a signed contract with Two Way cannot be located.

Mr. Deaton said these are barred by the Statute of Limitations because they are over 3 years old. He said the laws state that if you are not obligated to pay it, you are not allowed to pay it.

The Board tabled this issue to ask for negotiations between staff and the vendor, asking the vendor to come to a future meeting to discuss.

Capital Project Ordinance Amendment #2: **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve Capital Project Ordinance Amendment #2.

Public Comments: Chairman Beam opened Public Comments.

Rudy Bauer, 8252 Blades Trail, thanked Lincoln County and Don Chamblee for screening the pump station on Blades Trail and for putting a switch on the light. He spoke about traffic problems in East Lincoln and asked the Board to push DOT to make improvements.

Alan Hoyle, Lincolnton, spoke concerning debt.

Being no additional speakers, Chairman Beam closed Public Comments.

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

County Manager's Report: Mr. Kelly Atkins reminded the Board of the Budget Retreat on December 15 at 9:00 a.m. The Board of Education and Commissioner Joint meeting will be on January 25 at 6:00 p.m. He said the Center Drive property purchase continues and if no issues are found, closing will be scheduled.

County Attorney's Report: Nothing reported.

County Commissioners' Report: Nothing reported.

Closed Session: **UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to enter Closed Session to discuss a possible worker's comp settlement, EDA, and to consult with the county attorney concerning a planning and settlement matter.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve a settlement with Audie Kennedy on a well issue for the amount of \$2,000.00 as drafted by the County Attorney.

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

Amy S. Atkins, Clerk
Board of Commissioners

Bill Beam, Chairman
Board of Commissioners



2017 Transportation Project Update

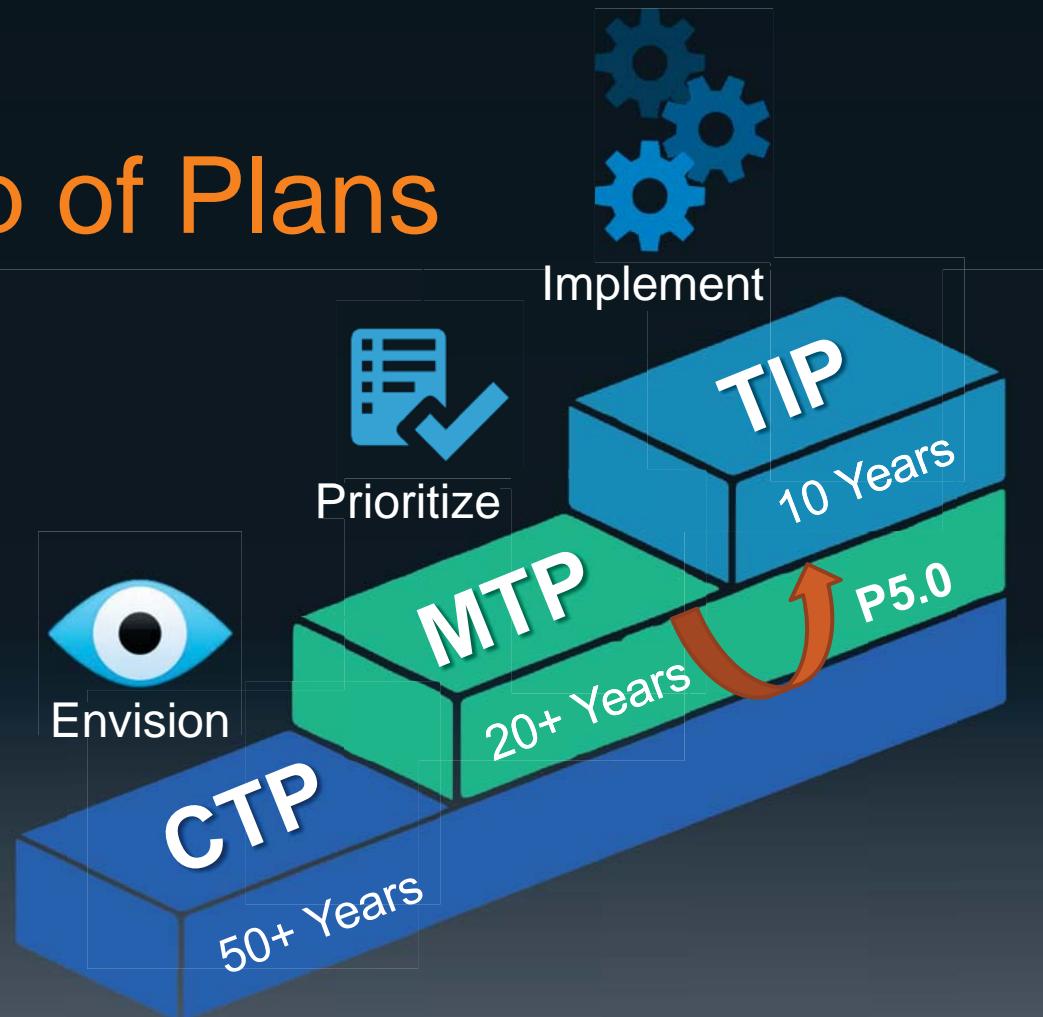
November 20, 2017



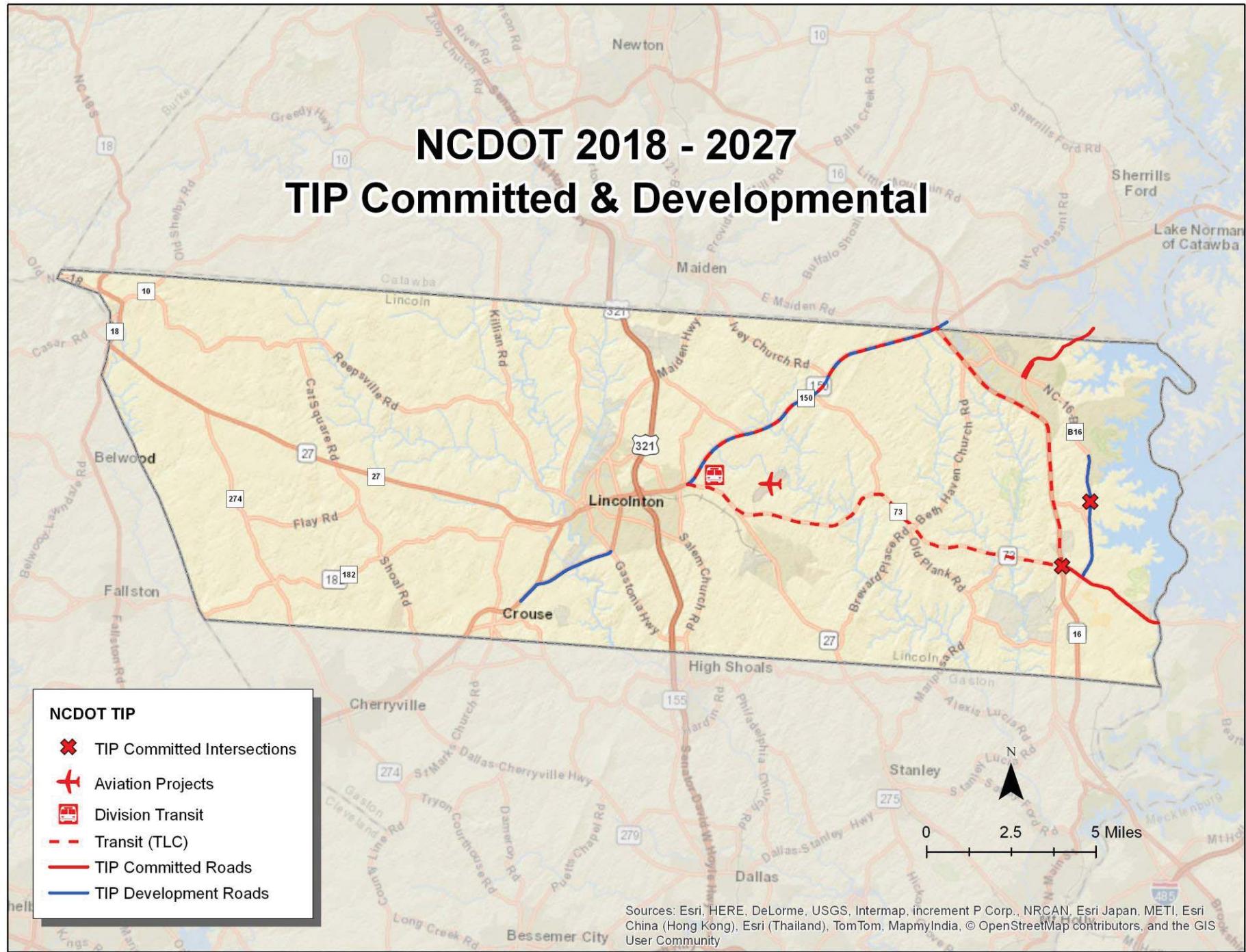
Topics

- 2018-2027 TIP
- Prioritization 5.0
- 2045 MTP Projects
- CMAQ Funding
- West Shore Access Plan

Relationship of Plans

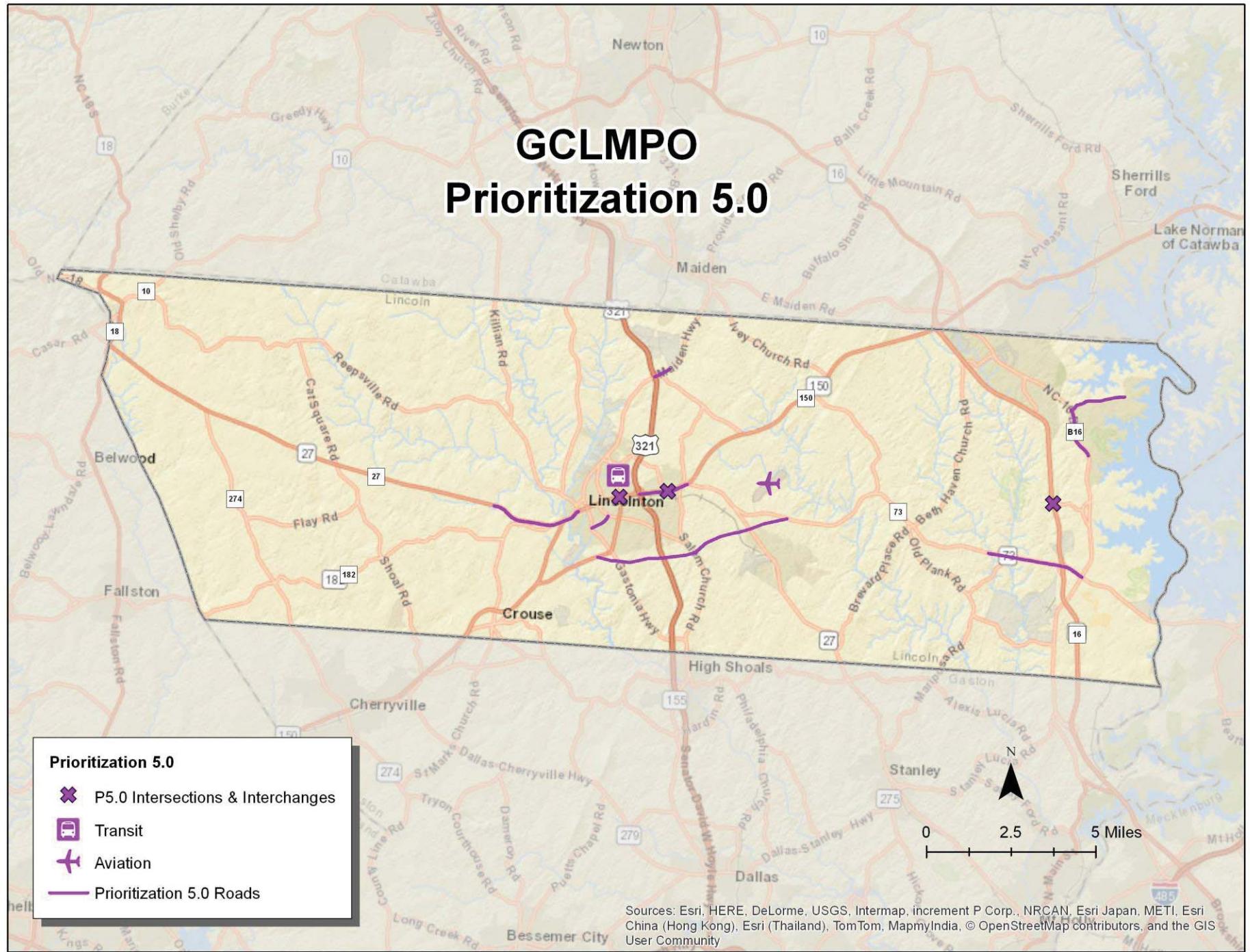


NCDOT 2018 - 2027 TIP Committed & Developmental



Prioritization 5.0

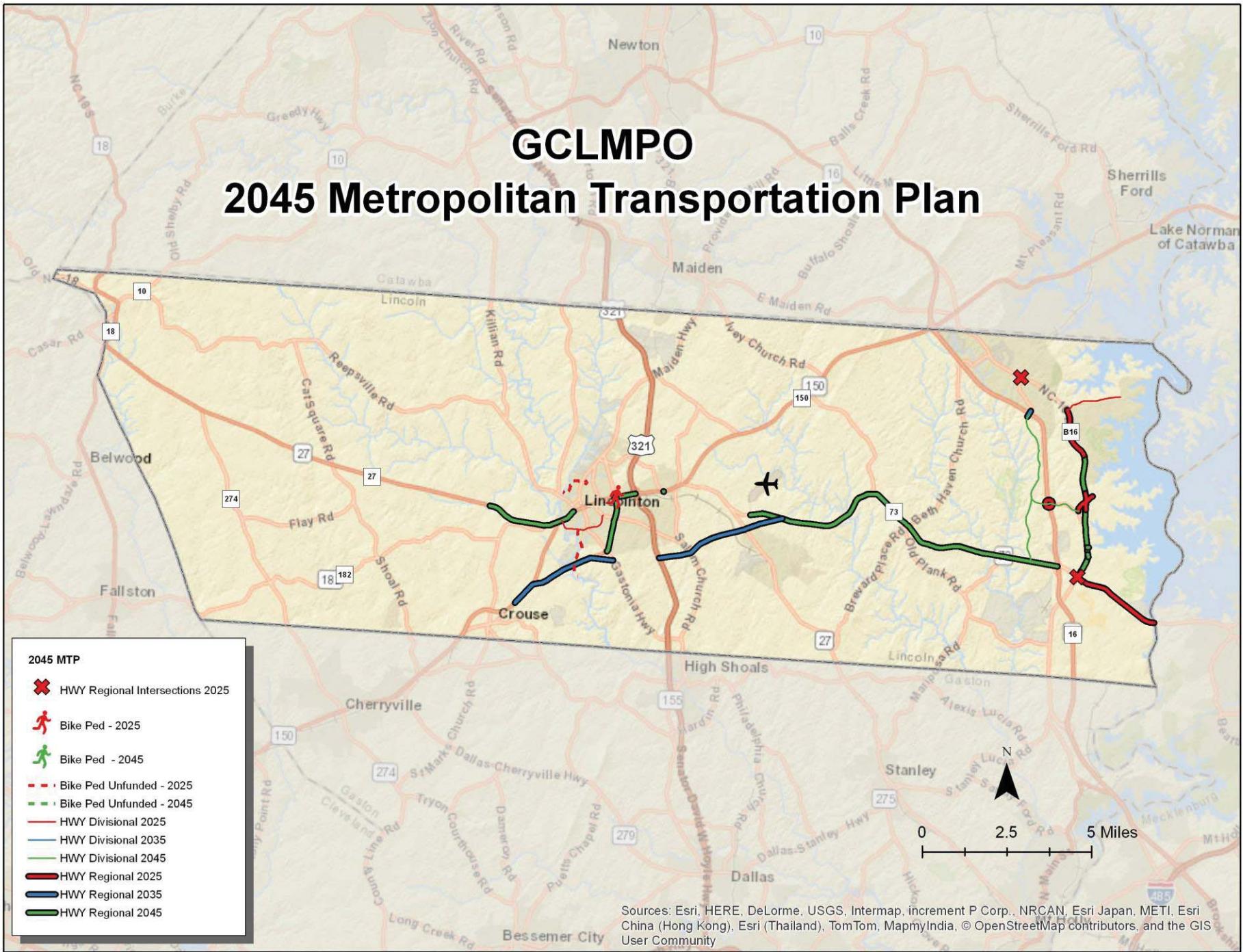
GCLMPO Prioritization 5.0





2045 Metropolitan Transportation Plan

GCLMPO 2045 Metropolitan Transportation Plan



CMAQ Funding

- West Lincoln Library sidewalk connection to NC27
- \$350,000 cost (estimated)
 - 20% local match
 - \$70,000
- Competitive process
- FY20 Funding Cycle





West Shore Access Cost Estimates

- Webbs/Burton
 - \$50,000
- Unity Corner Shortcut
 - \$30,000
- Unity connection to Smithstone
 - \$80,000
- Graham
 - \$35,000
- Luckey Pointe
 - \$50,000
- North Lincoln HS
 - \$90,000
- Total: \$350,000



Funding Options

- General Fund
- Emergency Management
- Excise Tax overages



Next Steps

- Funding Identification
- Funding Allocation
- Estimate Refinement
- Engineering
- Easement Acquisition
- Construction