

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, OCTOBER 21, 2019**

The Lincoln County Board of County Commissioners met on October 21, 2019, at the Commissioners Room, Administration Building, 353 N. Generals Blvd, Lincolnton, the regular place of meeting at 6:30 PM.

**Commissioners Present:**

Carrol Mitchem, Chair  
Richard Permenter, Vice Chair  
Milton Sigmon  
Bud Cesena  
Anita McCall

**Others Present:**

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

**Call to Order:** Chairman Mitchem called the October 21, 2019 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence and led in the Pledge of Allegiance.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, October 21, 2019**  
**6:30 PM**

**Lincoln County Administration Office**  
**353 N. Generals Blvd**  
**Lincolnton, NC 28092**

Call to Order - Chairman Carrol Mitchem

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
  1. Surplus Property
  2. General Warranty Deed from LEDA

3. VTS Refunds
4. Special Events Fee Waiver - Denver Christmas Parade
5. 2020 Holiday Schedule
6. Approval of Minutes
3. Project Update - John Henry and Don Chamblee
4. Engineering for West Lincoln Library Sidewalk - John Henry
5. Cultural Center Maintenance and Repair Approval - John Henry
6. Lincoln County Health Department Tobacco-Free Campus Request - Lena Jones and Kellie Hardin
7. Travel Request for NACo - Commissioner McCall
8. Public Comments
9. Finance Officer's Report - Deanna Rios
10. County Manager's Report
11. County Commissioners' Report
12. County Attorney's Report
13. Vacancies/Appointments
14. Calendar
15. Other Business

Information Only - No Action Needed

- Register of Deeds Report
- Property Tax Collection Report

16. Closed Session pursuant to § 143-318.11(a)

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and

(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

Adjourn

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

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

1. Surplus Property
2. General Warranty Deed from LEDA
3. VTS Refunds
4. Special Events Fee Waiver - Denver Christmas Parade
5. 2020 Holiday Schedule
6. Approval of Minutes

**Project Update:** John Henry

## Completed Projects

Project	Date
Administration Building	April 2019
Auditorium Renovation	April 2019
Elections Renovation	September 2019
Senior Services	September 2019

## Animal Services Repairs

**CIP #: N/A**

<b>Architect: N/A</b>		<b>Contractor: TBD</b>			
<b>Architect Cost</b>	<b>Phase 1:</b>	<b>Phase 2:</b>	<b>Total: \$476,560</b>		
<b>Design Completion Percent: N/A</b>		<b>Design Completion Date: N/A</b>			
<b>Construction Bid Date: TBD</b>		<b>Amount Budgeted: \$1,000,000</b>			
<b>Construction Projected Cost: \$476,560.00</b>		<b>Low Bid: TBD</b>			
<b>Percent of Budget Used: TBD</b>		<b>Construction Timeline: TBD</b>			
<b>Mechanical: TBD</b>		<b>Electrical: TBD</b>			
<b>Plumbing: TBD</b>		<b>Civil: TBD</b>			
<b>Project Scope:</b> Make needed repairs to facility to be in compliance with Department of Agriculture standards.					
<b>Comments:</b>					

## Animal Services Repairs

<b>FY20 (Phase 1)</b>		<b>FY21 (Phase 2)</b>	
Doors/Door Frames	9,900	Exterior Paint	33,300
Floor Replacement (DogHold)	29,095	Fire Alarm System Retrofit	32,993
Floor Patch (DogAdoption)	1,500	Sprinkler System Retrofit	101,679
FRP Installation (Select Walls)	6,400	Interior Door Hardware	14,000
Kennel Replacement (DogHold)	100,738	Kennel Replacements - Cat (Adoption)	25,000
Kennel Repair (Dog Adoption)	2,000		
Drinking Fountain Replacement	5,030	<b>Sub Total</b>	<b>\$206,972</b>
Fiberglass Shower Replacement	2,599		
Incinerator Removal / Reconstruct Wall	2,500	Contingency (15% Reno.)	32,000
Gravel/Grading Outdoor Play Yards	20,776	Escalation (5% 6mos.)	10,350
Building Lease (60 days) - DogHold/Floor Replacement	14,000	<b>FY21 Total</b>	<b>\$249,322</b>
Setup/Labor - DogHold/Floor Replacement	5,000	<b>Grand Total</b>	<b>\$476,560</b>
Commercial Laundry	8,800		
<b>Sub Total</b>	<b>\$208,338</b>		
Contingency (15% Reno.)	28,400		
Escalation (5% 6mos.)	9,500		
<b>FY20 Total</b>	<b>\$246,238</b>		

## Citizen Center Parking

CIP #: N/A

Engineer: REI	Contractor: TBD
Architect Cost	Phase 1:\$19,950
Design Completion Percent: 85	Design Completion Date: November 2019
Construction Bid Date: November 2019	Amount Budgeted: \$175,000
Construction Projected Cost: \$175,000	Low Bid: TBD
Percent of Budget Used: TBD	Construction Timeline: TBD
Mechanical: TBD	Electrical: TBD
Plumbing: TBD	Civil: TBD
<u>Project Scope:</u> Construct new parking lot that connects with current lot in rear of Citizen Center.	
<u>Comments:</u>	

## Courthouse

CIP #: 4390A      Square Footage: 84,480

Architect: Moseley	Contractor: TBD
Architect Cost	Phase 1: \$153,000
Design Completion Percent: 75	Design Completion Date: TBD
Construction Bid Date: TBD	Amount Budgeted: TBD
Construction Projected Cost: \$40 Million	Low Bid: TBD
Percent of Budget Used: 0	Construction Timeline: TBD
Mechanical: TBD	Electrical: TBD
Plumbing: TBD	Civil: TBD
<u>Project Scope:</u> Design and construct new Courthouse.	
<u>Comments:</u> The County and Moseley are in the construction document phase of design.	

## Courthouse



## Citizen Center/Development Services

**CIP #: 42101**

Architect: RdM	Contractor: SynergyOne		
Architect Cost	Phase 1: N/A	Phase 2: N/A	Total: \$96,000
Design Completion Percent: 100	Design Completion Date: 11/20/18&01/27/19		
Construction Bid Date: N/A	Amount Budgeted: \$899,257		
Construction Projected Cost: \$899,257	Low Bid: N/A		
Percent of Budget Used: 0	Construction Timeline: March 2019-Dec 2019		
Flooring: Shaw	Casework: AR Byrd		
Paint: ASI	AV: Clark Powell		
<b>Project Scope:</b> Renovations to first, second and third floor of Citizen Center creating a Development Services Center. Payment center would be on the first floor.			
<b>Comments:</b> Third floor and payment center are complete and waiting on furniture. Second floor demo has begun.			

## Citizen Center/Development Services



## Rescue Park Dog Park

### CIP #: N/A

Architect: N/A	Contractor: County		
Architect Cost	Phase 1: N/A	Phase 2: N/A	Total: N/A
Design Completion Percent: 0	Design Completion Date: TBD		
Construction Bid Date: N/A	Amount Budgeted: \$257,000		
Construction Projected Cost: \$257,000	Low Bid: N/A		
Percent of Budget Used: 0	Construction Timeline: TBD		
Mechanical: N/A	Electrical: N/A		
Plumbing: N/A	Civil: N/A		
<u>Project Scope:</u> Grade area to fix drainage issues. Construct dog park.			

Comments: Grading to begin in the week of October 21<sup>st</sup>.

## West Lincoln Library



Building pad soil lifts



Structural steel installed



Overall



Overall - from parking



Exterior - overall from parking



Framing - interior storefront installed

## West Lincoln Library

**CIP #: 6110C**

**Architect: ADW**

**Contractor: Hickory Construction**

**Architect Cost**

**Phase 1: N/A**

**Phase 2: N/A**

**Total: \$361,000**

**Design Completion Percent: 100**

**Design Completion Date: September 2018**

**Construction Bid Date: October 12, 2018**

**Amount Budgeted: \$4,298,000**

**Construction Projected Cost: \$4,122,000**

**Low Bid: \$3,422,548**

**Percent of Budget Used: 60**

**Construction Timeline: Nov 2018-Feb 2020**

**Mechanical: TBD**

**Electrical: TBD**

**Plumbing: TBD**

**Civil: TBD**

**Project Scope: Construct a new library.**

**Comments:**

## West Lincoln Library Park

**CIP #: 6200C**

Engineer: Wirth & Associates	Contractor: TBD		
Engineer Cost	Phase 1: \$24,600	Phase 2: TBD	Total: \$24,600
Design Completion Percent:	0	Design Completion Date:	December 2019
Construction Bid Date:	TBD	Amount Budgeted:	\$400,000
Construction Projected Cost:	TBD	Low Bid:	TBD
Percent of Budget Used:	Construction Timeline:	TBD	
Mechanical:	TBD	Electrical:	TBD
Plumbing:	TBD	Civil:	TBD
<b>Project Scope:</b> Construct a new passive park next to the new West Lincoln Library.			
<b>Comments:</b>			

## Emergency Services Facility

**CIP #: TBD**

Architect: TBD	Contractor: TBD		
Architect Cost	Phase 1: TBD	Phase 2: N/A	Total: TBD
Design Completion Percent:	Design Completion Date:	TBD	
Construction Bid Date:	TBD	Amount Budgeted:	\$10,500,000
Construction Projected Cost:	\$10,500,000	Low Bid:	TBD
Percent of Budget Used:	0	Construction Timeline:	TBD
Flooring:	Casework:		
Paint:	AV:		
<b>Project Scope:</b> Design and construct a new facility to house EMS, EM, FM and back-up PSAP.			
<b>Comments:</b> RFQ issued and due on October 31, 2019.			

## Upcoming CIP Projects

Project	Date
Jail Expansion	FY21
Tax Renovation	FY21
Animal Services Facility	FY21

## Upcoming CIP Projects for Consideration

Project	Date
DSS Expansion	

Don Chamblee presented the following update:

## Water Treatment Plant

- Improvements 3.99 MGD to 8 MGD
- State Utilities Contractor - \$10,939,600
- Design and Permitting Completed January 2018
- Scheduled to be Complete Mid 2020
- New Basins 3 and 4



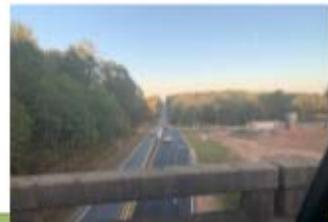
## Growth Planning – WWTP 6.6

- Current Plant Capacity 3.3 MGD
- Proposed Capacity 6.6 MGD
- Estimated Project Cost \$26.3 Million
- Project in Final Permitting Phase
- Estimated Schedule to Complete May 2021
- Capacity Allocated at 56 percent



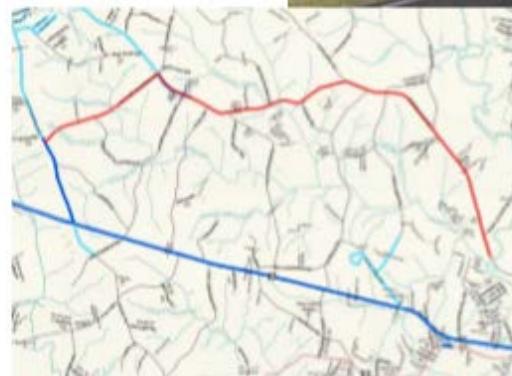
## Highway 73 Waterline

- WK Dickson Engineering
- State Utility (Contractor)
- \$7,797,000 (Construction)
- Under Construction
- Booster Pump Station
- Started October 1, 2019
- Completion October 2020
- Ingleside Reimbursement  
- \$118,172.26



## Reepsville Road Waterline - Connection to City of Lincolnton

- Woolpert Engineering
- \$8,877,100
- Design
- \$ 6.8 CWSRF
- Bid 2019
- Contractor: TBD
- Complete 2020



## East Lincoln Transmission Line Water Plant to Optimist Club Tank

- Woolpert Engineering
- \$13,000,000
- Design Started
- Easement Acquisition
- 24 inch Transmission line



## St. James Waterline

- CES Engineers
- \$1,200,000

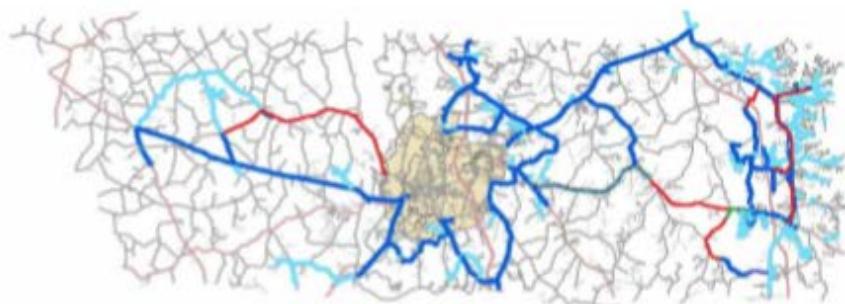


## Hwy 16 Waterline – Phase II & III

- Robinson & Sawyer - Phase I&II
- \$1,200,000
- Multi-segment
- Multi-year

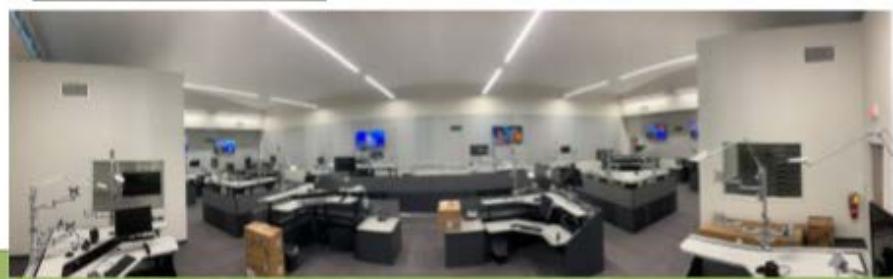


## Utility Water System Plans



## PSAP – Communications Center

- Go Live October 16, 2019



**Solid Waste**

- Optimist Club Convenience Site
- Bid Approved with Wilkie Construction
- Construction \$3,010.00
- Estimated Start November 1, 2019
- 3 Municipal Waste Compactors
- 6 Compactors for Recycling
- Yard Debris Site





**Engineering for West Lincoln Library Sidewalk:** John Henry presented the following:

There is interest in constructing a sidewalk that connects the new West Lincoln Library to West Lincoln Middle and High Schools. Based on staff review of proposed route, we feel it is necessary to have an engineer perform a survey and complete design specs prior to bid issuance. This will allow the engineer to provide an accurate construction estimate to bring back to the Board for approval of construction.

Mr. Henry asked for the Board's approval to engineer design in an amount Not to Exceed \$50,000. Two-thirds of this amount is unbudgeted the remaining one-third will come from remaining funds borrowed for the West Lincoln Library.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the engineer design for the West Lincoln Library Sidewalk in an amount not to exceed \$50,000.

**Cultural Center Maintenance and Repair Approval:** John Henry presented the following:

Late in the FY20 budget, it was brought to the County's attention there were repairs needed at the Cultural Center. Estimates were received for the repair but were not included in the FY20 budget.

Mr. Henry asked for the Board's approval of the maintenance and repair at the Lincoln Cultural Center at a cost of \$172,590.40.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve the maintenance and repair at the Lincoln Cultural Center at a cost of \$172,590.40.

**Requests from Health Department:** Lena Jones presented the following:

**Health Department Main Facility – Purchase Signage for Tobacco Free Facility Campus:** In addition to the county's ordinance regulating the use of tobacco products inside all county buildings, NC Local Health Department Accreditation rules require that all health department main facilities be tobacco-free at all entrances and grounds (within 50' perimeter) due to the negative health effects on patients, visitors, and employees from all types of tobacco use and second hand smoke which now includes vaping. Federal law also requires that Title X-funded health facilities which serve children, such as ours, must be tobacco-free inside the building and outside at all entrances. Therefore the Board of Health adopted a policy in 2005 which does not allow use of any tobacco product at any time on the grounds of the "Main Health Department Facility" within a 50-linear foot perimeter of the facility including parking lots (excluding personal vehicles). Now that the Health Department is in a new location and all major construction and repairs are complete, the Health Director requests approval to purchase and install appropriate "No Tobacco Use" signage before December 1, 2019, at its new location and to inform the public accordingly.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve the purchase of signage for Tobacco Free Facility & Campus for all entrances to the new Main Health Department facility and its 50-foot perimeter by December 1, 2019.

**Tobacco-Free Grounds Request for Environmental Health Facility:** As with Health Department main facilities, NC Local Health Department Accreditation recommends that the entrances and grounds (within 50' perimeter) of ALL other health department facilities (such as Environmental Health) have tobacco-free grounds as well, due to the negative health effects of all types of tobacco use and second hand smoke (which now includes vaping). Although this is not required for health department offices that are housed in privately-owned buildings or in county-owned buildings wherein space is shared with other departments, as is the case with Environmental Health and Building/Planning/Zoning sharing the Academy Street Building, nevertheless it is still highly recommended that tobacco use not be allowed on the grounds within the 50-foot perimeter of the Academy Street Building, 302 North Academy Building, nevertheless it is still highly recommended that tobacco use not be allowed on the grounds within the 50-foot perimeter of the Academy Street Building, 302 North Academy Street, Lincolnton, NC. NCGS 130A-498 requires BOC approval of policies or ordinances adopted AFTER July 1, 2009 pursuant to NCGS 130A-498, Subsection Part 2; and NC Accreditation requires that this request be made to the local Board of County Commissioners at least once prior to each re-accreditation review. The BOC's written response to this request for this accreditation cycle is November 1, 2019.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve the request to not allow the use of tobacco products at all entrances and on the grounds (within 50 linear foot perimeter) of the Academy Street Building (302 N. Academy Street)

**Gamble Drive Tobacco-free Campus Request:** The Lincoln County Board of Health and Health Director researched current law and obtained input from other department heads on the campus as well as our two neighbors who share this campus (YMCA and Gaston Family Health Services). This spring and summer, the BOH discussed this and made a motion to request that the Board of Commissioners establish the entire (Gamble Drive) campus/grounds as “tobacco-free” (by definition this includes all tobacco-related products including e-cigarettes). The campus recommended by the BOH to be tobacco-free includes the county-owned land on Gamble Drive between Country Club Rd. and Gaston Street Ext. which would include the Health Department and county office building (formerly the Medical Arts building), and the GFHS (on county-leased land), (as well as vacant land behind the Health Department adjacent to Hollis Henderson Drive.) The YMCA is not county-owned but already has an adjoining tobacco-free campus.

Ms. Jones asked the Board to designate the county-owned Gamble Drive/Campus as “tobacco-free”, which includes all grounds surrounding the Health Department, Medical Arts building, Gaston Family Health Services clinic, and other currently vacant county-owned property at this location. (This excludes the adjacent and privately owned YMCA property, whose campus is already tobacco-free). The new Communications Center, which is located on a separate but adjoining county-owned parcel, could be considered as part of this campus, to be determined by the BOC). Recommendation #3, if approved, would also require amending the current Lincoln County Tobacco Ordinance (adopted Oct. 4, 1993) to incorporate these county building grounds.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to table this request to look at other county owned buildings.

**Travel Request for NACo:** Commissioner McCall presented a travel request for the 2020 NACo Legislative Conference in Washington DC from February 28 to March 3, 2020.

Cliff Brumfield and Josh Grant both spoke about the possibility of funding available through contacts with NACo.

**A MOTION** by Commissioner McCall that the Commissioners allow her to represent Lincoln County at the NACo Legislative Conference as presented.

**Discussion:**

Commissioner Permenter spoke in support of the request.

Commissioner Sigmon spoke concerning the request and his desire to see results from these expenditures.

**AN AMENDED MOTION** by Commissioner Sigmon that both Commissioner Cesena and McCall be allowed to attend and represent Lincoln County, with both reporting back to the Board about the experience and the results going forward.

**Vote on Motion to Amend: 3 – 2 AYES: McCall, Permenter, Sigmon  
NOES: Cesena, Mitchem**

**Vote on Amended Motion: 3 – 2 AYES: McCall, Permenter, Sigmon  
NOES: Cesena, Mitchem**

Commissioner Mitchem said he would like to see payback from the money spent on these events.

**Public Comments:** Chairman Mitchem opened Public Comments.

Robert Avery, 4466 Hwy 182, Crouse, spoke concerning the Fire Departments and oversight.

David Maddox spoke concerning public roads in Lincoln County and who maintains the roads.

Being no additional speakers, Chairman Mitchem closed Public Comments.

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

**County Manager's Report:** Kelly Atkins informed the Board that the old Health Department site did not receive any bids, so it will be advertised again. He said there will be a work session with the Planning Board on November 4, 2019 at 4:00 p.m. Mr. Atkins informed the Board that during the period with no rain, there were 2 fires at the Landfill.

**Vacancies/Appointments:** **UPON MOTION** by Commissioner Cesena, the Board voted unanimously to appoint Jason Ramsey to the Jury Commission.

He informed the Board that he plans to start doing criminal background checks on applicants. Mr. Deaton recommended adding a statement to the application stating this.

**Other Business:**

**Closed Session:** **UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to enter Closed Session Pursuant to NCGS 143.318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and (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.

The Board returned to Open Session and Chairman Mitchem announced that no action was taken in Closed Session.

Candy Burgin asked for the Board to reclassify Environmental Health Specialist 1 to Environmental Health Specialist 3, a \$28,949.00 increase which includes fringe benefits. A budget amendment will be brought to the Board at a later date.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve the reclassification as presented.

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

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Amy S. Atkins, Clerk  
Board of Commissioners

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Carrol Mitchem, Chairman  
Board of Commissioners