

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 13, 2020**

The Lincoln County Board of County Commissioners met on January 13, 2020, 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 Atkins, Clerk to the Board

**Call to Order:** Chairman Mitchem called the January 13, 2020 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, January 13, 2020**  
**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. Tax Requests for Releases - More than \$100

2. Tax Request for Refunds - More than \$100
3. Sponsored Group Status - Lincoln/Reagan Day Dinner
3. Planning Board Recommendations - Randy Hawkins
4. Presentation of Keep Lincoln County Beautiful Annual Report - Jeanette Johnson
5. Update to Severe Weather and Emergency Conditions Policy and approval of Resolution #2020-02 - Resolution to Amend Lincoln County Personnel Policy with Respect to the Pay Plan - John Henry, Candy Burgin
6. Board of Health Reclassification Request of Position #3924 Health Operations Manager to Deputy Health Director - Candy Burgin
7. ~~Approval of Resolution #2020-03: Equipment Resolution for Killian Creek WWTP Phase 3 Expansion - Don Chamblee~~
8. Public Comments
9. Finance Officers Report
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

- 15a. Closed Session pursuant to **§ 143-318.11. Closed sessions.** (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 adding Item 15a – Closed Session and removing Item 7.

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

1. Tax Requests for Releases - More than \$100
2. Tax Request for Refunds - More than \$100
3. Sponsored Group Status - Lincoln/Reagan Day Dinner

**Planning Board Recommendations:** Randy Hawkins presented the following:

**PA #48 BBC Sifford, LLC, applicant** (Parcel ID# 32604, 90215, and 32606) A request for sketch plan/preliminary plat approval for a 19-lot residential subdivision with new public roads. The property is located at 7639 Sifford Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval with the condition that a method be designed to prevent construction traffic from using Grice Road until such time that it's dedicated for public use.**

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve the findings of fact as submitted by the Planning Board.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve PA #48 – BBC Sifford, LLC, applicant based on the findings of fact approved by the Planning Board with the condition that a method be designed to prevent construction traffic from using Grice Road until such time that it's dedicated for public use.

**CUP #414 Karen Katilie, applicant** (Parcel# 30002) A request for a conditional use permit to build a detached garage in front of the front building line of a house on a lot adjacent to Lake Norman. The 0.77-acre parcel is located at 5000 Lynwood Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve the findings of fact as submitted by the Planning Board.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve CUP #414 – Karen Katilie, applicant based on the findings of fact approved by the Planning Board.

**ZMA #668 3D Worldwide, LLC, applicant** (Parcel ID# 33823) A request to rezone a 4.1-acre tract from RSF (Residential-Single Family) to I-G (General Industrial). The property is located on the east side of N.C. 16 Business at its intersection with Mundy Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously approve the statement of consistency and reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve ZMA #668 – 3D Worldwide, LLC, applicant based on the recommendation of the Planning Board and the statement of consistency and reasonableness.

**ZMA #669 3D Worldwide, LLC, applicant** (Parcel ID# 50203) A request to rezone a 0.78-acre lot from B-N (Neighborhood Business) to I-G (General Industrial). The property is located on the southeast corner of N.C. 16 Business and Balsom Ridge Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously approve the statement of consistency and reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve ZMA #669 – 3D Worldwide, LLC, applicant based on the recommendation of the Planning Board and the statement of consistency and reasonableness.

**ZMA #670 Holy Spirit Catholic Church, applicant** (Parcel ID# 51306, 58765 and 58766) A request to rezone 7.0 acres from B-N (Neighborhood Business) to B-G (General Business). The property is located at 537 N. NC 16 Business Hwy., on the west side of N.C. 16 Business south of Townsend Drive in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner McCall, the Board voted unanimously approve the statement of consistency and reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve ZMA #670 – Holy Spirit Catholic Church, applicant based on the recommendation of the Planning Board and the statement of consistency and reasonableness.

**CZ #2020-1 Scott O'Neil, applicant** (Parcel ID# 34692) A request to rezone a 4.1-acre tract from R-SF (Residential-Single Family) to CZ I-G (Conditional Zoning General Industrial) to permit a self-storage facility. The property is located on the east side of N.C. 16 Business south of Balsom Ridge Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously approve the statement of consistency and reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve CZ #2020-1 – Scott O’Neil, applicant based on the recommendation of the Planning Board and the statement of consistency and reasonableness.

**Presentation of Keep Lincoln County Beautiful Annual Report:** Jeanette Johnson presented the improvements Keep Lincoln County Beautiful has achieved in Lincoln County and the difference they intend to make in the future. She thanked the Commissioners for the opportunity to make a positive impact in Lincoln County. She asked for the continued support of the Board and said they are excited to continue benefiting the community through their mission and three pillars of success: litter prevention, increased recycling efforts and community beautification. She thanked the KLCB board members and volunteers, especially George Fischer who is the most active volunteer.

The Board thanked Ms. Johnson and the Keep Lincoln County Beautiful Board of Directors and volunteers for their hard work and dedication.

**Update to Severe Weather and Emergency Conditions Policy and approval of Resolution #2020-02 - Resolution to Amend Lincoln County Personnel Policy:** John Henry and Candy Burgin presented an update to the Severe Weather and Emergency Conditions Policy.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve Resolution #2020-02: Resolution to Amend Lincoln County Personnel Policy with Respect to the Pay Plan.

**RESOLUTION NO. 2020-02**

**RESOLUTION TO AMEND LINCOLN COUNTY PERSONNEL POLICY  
WITH RESPECT TO THE SEVERE WEATHER and EMERGENCY CONDITION POLICY**

**WHEREAS**, the Lincoln County Personnel Policy adopted by Resolution of the Board of Commissioners 2011-53 on 10/17/2011 and made effective originally on September 1, 2005, contains provisions regulating the Severe Weather and Emergency Condition policy and Facilities Management Snow and Ice Management procedures.

**WHEREAS**, the Board believes that it is necessary and desirable to amend the existing provisions in the Personnel Policy Article VI Section 20 to add revisions updating the Severe Weather and Emergency Conditions policy and Emergency Condition policy and Facilities Management Snow and Ice Management procedures.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED,**

The primary revisions are listed below:

1. Revisions of Article VI, Section 20 titled “Severe Weather and Emergency Conditions” and internal procedures titled Facilities Management Snow and Ice Management procedures.

Lincoln County is proposing the adoption of the Severe Weather and Emergency Conditions Policy and revisions to the Facilities Management Snow and Ice Management procedures.

That this amendment shall become effective on \_\_\_\_\_.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**Board of Health Reclassification Request of Position #3924 Health Operations**

**Manager to Deputy Health Director:** Candy Burgin presented a reclassification request for Position #3924 Health Operations Manager (employee Lena Jones) to Deputy Health Director with the job description being revised at a later date and revised in the Budget Ordinance at a later date. The request is to provide the current position with the title of Deputy Health Director. This position already serves in the capacity of second in command in the absence of the Health Director. The request for a pay increase is justified for the duties performed and is being requested by the Lincoln County Board of Health.

As the Commissioners representative on the Board of Health, Commissioner Permenter spoke in favor of this request.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve the request as presented.

**Public Comments:** Chairman Mitchem opened Public Comments. Being no 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 of a meeting with the Board of Education on January 30, 2020 at 6:30 PM.

**County Commissioners' Report:** Commissioner Cesena said he was at the Beattys Ford Park yesterday and there were 47 trucks/boats at the ramp that were not counted by DOT.

Chairman Mitchem reported that he, Commissioner Permenter, and the County Manager met with department heads and residents of Trilogy last week.

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

- **Historic Properties Commission**
  1. **Walter Clark**
  2. **Steve Killian**
- **Board of Equalization and Review**
  1. **Appoint Beth Saine**
  2. **Appoint Perry Cashion**
- **ABC Board**
  1. **Appoint Tom Anderson**

**Closed Session:** **UPON MOTION** by Commissioner Cesena, the Board voted unanimously to enter Closed Session Pursuant to NCGS 143.318.11(a) (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.

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