

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 7, 2011

The Lincoln County Board of County Commissioners met on February 7, 2011 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting, at 6:30 P.M.

Commissioners Present:

Alex E. Patton, Chairman
George Arena, Vice Chair
James A. Klein
Carrol Mitchem
Carl E. Robinson, Jr.

Planning Board Members Present:

Jeff Frushtick, Chairman
Gary Garlow, Vice-Chairman
John Anderson
Tom Campbell
Cathy Davis
Keith Johnson
Shelly Johnston
Dr. Richard Pence
Christine Poinsette

Others Present:

George A. Wood, County Manager
Martha W. Lide, Assistant County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Atkins, Clerk to the Board
Kelly Atkins, Planning and Inspections Director
Randy Hawkins, Zoning Administrator
Randy Williams, Principal Planner
Andrew Bryant, Planner
Madge Huffman, Tax Administrator
Burns Whittaker, Public Works Director
Danté Patterson, IT Chief Information Officer
Leon Harmon, Finance Director

Call to Order: Chairman Patton called the February 7, 2011 meeting of the Lincoln County Board of Commissioners to order.

Invocation: Commissioner Robinson gave the Invocation and led in the Pledge of Allegiance.

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

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

FEBRUARY 7, 2011

5:00 PM Call to Order in demonstration kitchen on 1st floor of the James W. Warren Citizens Center for an Annual Report from Cooperative Extension

5:05 PM Invocation - Commissioner Robinson

6:30 PM Reconvene meeting in Commissioners Room

6:31 PM Pledge of Allegiance

1. 6:32 PM Adoption of Agenda

2. 6:35 PM Consent Agenda

- Approval of Minutes
 - January 3, 2011
 - January 24, 2011
- Tax Requests for Refunds - More than \$100
 - December 20, 2010 - January 2, 2011
 - January 3 - 16, 2011
- Tax Requests for Releases - More than \$100
 - December 16, 2010 - January 15, 2011
- Ordinance # 2011-3: An Ordinance Amending the FY 2011 Budget
 - for the County of Lincoln, North Carolina
- Sponsored Group Status
 - Commandment Keepers Church of the Living God

3. 6:40 PM Zoning Public Hearings – Randy Hawkins

CUP #300 Precision Performance Coatings, applicant (Parcel ID# 58403, 01602, 53228 and 75921) A request for a conditional use permit to manufacture sealants, adhesives and polyurethane prepolymers in the I-G (General Industrial) district. The proposed 2.8-acre site is located at 1480 South Industrial Park Road, at the corner of Country Club Road, Salem Church Road and South Industrial Park Road, in Ironton Township.

4. 6:55 PM Lincoln County Language Access Plan - Andrew Bryant

5. 7:05 PM Public Hearing - Leash Law for Windsor Forest and motion to adopt Ordinance #2011-4: An Ordinance Amending Chapter 92.08 of the Lincoln County Code of Ordinances Concerning Leash Laws

6. 7:15 PM Report of Delinquent Taxes which are on a Lien on Real Estate

Property NCGS 105.269 (a) and motion to adopt Resolution #2011-5:
A Resolution Ordering the Advertising of Delinquent Real Estate
Property Tax Leins- Madge Huffman

7. 7:25 PM Public Comments
8. 7:40 PM Report from County Manager on Request to Intervene in Foreclosure - George Wood
9. 7:50 PM Proposed Engineering Contract, Airport Sewer - Burns Whittaker
10. 8:00 PM Recommendation to Award the RFP 2010-1207 for the Lease of Digital Multi-Function Devices - Dante' Patterson
11. 8:10 PM Discussion of Permit Revocations at Burton Creek Subdivision, owned by Fifth Third Bank - George Wood
12. 8:20 PM Reorganization/Realignment of Animal Services Department/EMS - Martha Lide
13. 8:30 PM Resolution #2011-6: Resolution to Appoint Animal Appeals Board - Martha Lide
14. 8:40 PM Update on Proposed N.C. Department of Cultural Resources Rules Regarding Regional Libraries - George Wood
15. 8:50 PM Motion to Approve Changes to Medical Insurance Plans as Recommended by County Manager - George Wood
16. 9:00 PM Other Business

Adjourn

UPON MOTION by Commissioner Klein, the Board voted unanimously to adopt the agenda.

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

- Approval of Minutes
- January 3, 2011
- January 24, 2011

- Tax Requests for Refunds - More than \$100

- December 20, 2010 - January 2, 2011

LINCOLN COUNTY TAX DEPARTMENT
ANNUALS

REQUEST FOR REFUNDS

PERIOD COVERED (DECEMBER 20, 2010-JANUARY 2, 2011)

G.S.#105-381(B) ALL REFUNDS ANNUAL MORE THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT	REASON
Piedmont Farm Credit	2006-10	CFD	25795	345.03	Corrected Acreage
TOTAL				\$ 345.03	

- January 3 - 16, 2011

LINCOLN COUNTY TAX DEPARTMENT
REQUEST FOR REFUNDS
MOTOR VEHICLES

PERIOD COVERED (JANUARY 03, 2011-JANUARY 16, 2011)

G.S.#105-381(B) ALL REFUNDS MORE THAN \$100.00
 (and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT	REASON
Hufnagle, Shane P.	2010	ELFD/ELSD	0179256	113.94	Pro-Rated Bill
Lail, Monte L.	2010	BCFD	0112632	139.46	Pro-Rated Bill

TOTAL \$253.40

- Tax Requests for Releases - More than \$100
 - December 16, 2010 - January 15, 2011

LINCOLN COUNTY
TAX DEPARTMENT
 G.S. #105-381 (B) ALL RELEASES MORE THAN \$100
 AND #105-325 INCLUDING (A) (6)
REQUEST FOR RELEASES
MOTOR VEHICLE BILLS
 PERIOD COVERED (December 16 2010-January 15 2011)

NAME	YEAR	DIST	A/C NO	AMOUNT	REASON
Diaz, Juan Ramon	2010	City	0218444	\$149.51	Pro-rated bill.
Geitner, Terrence John	2010	City	0184475	\$211.84	Pro-rated bill.
Hawk, Del Lynn	2010	ELFD/ELSD	0173064	\$382.71	Duplicate billing.
Hedgpeth, James Paul	2009	City	0215477	\$244.08	Vehicle taxable in Gaston Co.
Holliday Heating & Cooling	2010	BCFD	0148443	\$122.76	Pro-rated bill.
Lail, Monte Lewis	2010	BCFD	09883	\$191.77	Pro-rated bill.

TOTAL \$1,302.67

LINCOLN COUNTY
TAX DEPARTMENT
 G.S. #105-381 (B) ALL RELEASES MORE THAN \$100
 AND #105-325 INCLUDING (A) (6)
REQUEST FOR RELEASES
 PERIOD COVERED
 (Dec. 16, 2010 - Jan. 15, 2011)

NAME	YEAR	A/C NO	AMOUNT
Ackerman, Andrew A	2010	0220462	\$154.75
	2007-		
Brown, Michael A Jr.	2010	0189016	\$1,061.47
Coughlan, John	2010	0185728	\$101.82
East Coast Collision Co.	2010	0216676	\$248.33
Fickert, John P	2010	0150290	\$155.09
Grant, Gregory L	2010	0230199	\$208.18
	2007-		
Hedrick, Allison Rhyne	2010	0136369	\$354.77
Holts Family Restaurant Inc.	2010	0168749	\$513.80
Rhodes, Charles Edwin	2010	0210229	\$373.24
Schillo, Louis	2010	0175967	\$243.83
Turner, Grady Leon	2010	37784	\$1,311.00
		TOTAL	\$4,726.28

- Ordinance # 2011-3: An Ordinance Amending the FY 2011 Budget
for the County of Lincoln, North Carolina

**ORDINANCE #2011-3: AN ORDINANCE AMENDING THE FY 2011 BUDGET
FOR THE COUNTY OF LINCOLN, NORTH CAROLINA**

THAT WHEREAS, the Lincoln County Board of Commissioners adopted the FY 2011 Budget by approving Ordinance #2010-05 on June 21, 2010; and

WHEREAS, the Finance Director and County Manager are recommending further amendments as shown on the attachments herein; and

WHEREAS, the Lincoln County Board of Commissioners wishes to approve these proposed budget amendments;

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Board of Commissioners of Lincoln County, North Carolina, that the FY 2011 Budget previously adopted is hereby amended as follows:

Section 1. That the budget adjustments attached hereto, and incorporated herein by reference as Exhibit A to Ordinance #2011-3, are hereby approved and adopted as amendments to the FY 2011 Budget.

Section 2. That this amendment to the budget shall become effective immediately upon its adoption by the Board of Commissioners.

Passed and adopted this 7th day of February, 2011.

BY: _____
Alex E. Patton, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board

EXHIBIT A to Ordinance #2011-3

Budget Adjustments numbered 71 through 74, inclusive.

- Sponsored Group Status
- Commandment Keepers Church of the Living God

New Business/Advertised Public Hearings: Chairman Patton announced that this was the date, Monday, February 7, 2011, and the time, 6:30 P.M., which was advertised in the Lincoln Times-News on January 28 and February 4, 2011.

NOTICE OF PUBLIC HEARINGS

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearing on Monday, February 7, 2011, at 6:30 p.m. to consider the following matter:

CUP #300 Precision Performance Coatings, applicant (Parcel ID# 58403, 01602, 53228 and 75921) A request for a conditional use permit to manufacture sealants, adhesives and polyurethane prepolymers in the I-G (General Industrial) district. The proposed 2.8-acre site is located at 1480 South Industrial Park Road, at the corner of Country Club Road, Salem Church Road and South Industrial Park Road, in Ironton Township.

Interested parties may appear at the public hearing, which will be held in the Commissioners Room on the third floor of the James W. Warren Citizens Center, 115 W. Main Street, Lincolnton, N.C. For more information, contact the Lincoln County Planning and Inspections Department at (704) 736-8440.

2T: Jan. 28, Feb. 4, 2011

Zoning Public Hearing – Randy Hawkins:

Conditional Use Permit No. 300 – Precision Performance Coatings, applicant: Randy Hawkins presented the following information concerning CUP #300.

The applicant is requesting a conditional use permit to manufacture sealants, adhesives and polyurethane prepolymers in the I-G (General Industrial) district. Under the Unified Development Ordinance, the manufacture of these types of products is a conditional use in the I-G district.

The proposed 2.8-acre site is located at 1480 South Industrial Park Road, at the corner of Country Club Road, Salem Church Road and South Industrial Park Road, in Ironton Township, just outside the Lincolnton city limits. This property includes a 32,732-

square-foot building complex. It is adjoined by property zoned I-G, N-B (Neighborhood Business) and R-S (Residential Suburban). Land uses in this area include industrial, commercial and residential. The Lincoln County Land Use Plan designates this property as part of an industrial area.

Jeff Frushtick asked how close this is to the nearest residential dwelling. Mr. Hawkins said maybe 300 feet.

Gary Garlow asked what requirements would pertain as far as state and environmental protection. Mr. Hawkins stated that they symbols would have to be placed on the building.

Mr. Hawkins stated that he asked the Fire Marshal's Office to look over the list of chemicals provided by the applicant. Bill Summers did that and his judgment is that these are not highly volatile chemicals and don't have high explosive capabilities.

Chairman Patton opened the public hearing concerning Conditional Use Permit No. 300 – Precision Performance Coatings, applicant.

Joyce Goforth stated that her husband and she are property owners. She said the property they own is probably about 250 feet from this plant. She asked what numbers will be on the red diamond outside the door. She asked what size containers these components will be stored in. She asked if there will be much odor from the plant. She asked if this will be the same type business they do on Motz Avenue.

Dennis Williams stated that he was brought in evaluate the building for the applicant to see if the building complies with current building codes. He said the building has been inspected and approved for this use, subject to the conditional use permit being approved. He said he has the MSDS sheets for every chemical that will be used. This business plans to relocate from Motz Avenue to this location.

Ed Carmichael, with Precision Performance Coatings, stated that he has submitted the application to move his business from one location to another. He explained what his company makes and the chemicals he uses. He said he has been with the company since 1992 and has had no fires or explosions. Mr. Carmichael said production would be about once per month and takes 2 to 3 hours. He said he does not think anyone would even notice the odor.

The Planning Board members asked numerous questions about the storage of chemicals and the types of chemicals used.

Ron Kelly, Cornelius, NC stated that he is here in support of this CUP. He said this company is a supplier. He said Mr. Carmichael is an excellent corporate citizen. Mr. Kelly demonstrated the product that he makes to help stroke patients using Mr. Carmichael's component.

Hal Klutz stated that he owns property adjacent to this and plans to have livestock on it. He said his concern is with the outside storage and leakage. He said there is a drainage ditch that goes into a creek that feeds into his property. He said he has no problem with the business there as long as there is a structure that prevents spills from getting into the water supply for his property.

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

The Planning Board reconvened to the second floor balcony.

Lincoln County Language Access Plan – Andrew Bryant: Andrew Bryant presented the following information concerning the Lincoln County Language Access Plan.

Lincoln County has been requested by the North Carolina Department of Commerce's Division of Community Assistance to adopt and implement a Language Access Plan in order to be eligible to continue to receive federal funding through the Community Development Block Grant (CDBG) program and other federal sources.

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the Lincoln County must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the county has to ensure LEP individuals can communicate effectively.

The requirement for the provision access to services for LEP individuals is not a new law as it originates from Title VI of the Civil Rights Act of 1964. The Language Access Plan is the tool that has been developed to implement the goals of the Civil Rights Act. Counties and municipalities across the state are now being required to implement such plans and policies in order to continue to receive federal funding.

Staff has prepared an implementation strategy with action in several phases.

- o Begin translation of vital documents into Spanish, other languages made available upon request.
- o Development of signage located in all buildings indicating that free interpretive services are available.
- o "I Speak" cards distributed to all county offices.
- o Staff training sessions • Language Access Plan
 - Cultural Competency
- o Pamphlet distributed regarding the rights granted by the language access plan (bilingual).
- o Public Hearing notices would indicate in Spanish that translation services are available upon request.

- o Webpage dedicated to Language Access Plan Information (bilingual)
- o New contract with CICS, Inc. Interpretive Service. Fees charged on a per use basis.
- o Agreement with supervisors of bilingual staff whose services will be used by other departments.

Failure to adopt a Language Access Plan would have immediate consequences including the loss of a \$400,000 Scattered Site Housing grant designed to create suitable living environments for persons of low and moderate incomes. The county would also have to repay approximately \$10,000 in expended administrative funds used as part of the start-up of the grant. By not adopting this plan the county also puts itself in jeopardy of losing other federal grant funds and the ability to apply for future federal funding, specifically any funds through the CDBG program. Since 2000 Lincoln County has received almost \$1.2 million in CDBG Community Revitalization Funds. Funds under CDBG's Economic Development and Small Business Entrepreneurial Assistance grants programs have also been received in the past by Lincoln County.

Currently the Lincoln County Health Department and Department of Social Services have their own Language Access Plans. These plans vary from one another and in several cases vary from this proposal due to the different federal agencies with oversight of their programs. Each department, Health and Social Services, will strive to comply with the provisions of this proposal but when a conflict does arise they will follow the procedure established by their individual plans.

The Language Access Plan provided for your consideration was modified from model provided by the Department of Commerce's Division of Community Assistance. The model was only slightly modified as their Compliance Officer did not allow for much deviation. Staff feels that this plan, as modified, is the best possible fit for Lincoln County in order to comply with the minimum requirements set forth by the Division of Community Assistance for compliance with Title VI of the Civil Rights Act of 1964.

Commissioner Robinson asked who pays for the plan and how much it will cost.

Andrew Bryant stated that the plan itself is a basic civil right and is not funded by the state or federal government. The estimated cost will be less than \$5,000 per year and will mostly be absorbed by staff.

Commissioner Mitchem asked if this is a new law. Mr. Bryant stated that it is not a new law, but is seeking compliance with the Civil Rights Act.

Mr. Wood stated that this is a requirement for various grants and to be eligible this will have to be approved.

UPON MOTION by Commissioner Arena, the Board voted 3-2 (For: Patton, Robinson, Arena; Against: Mitchem, Klein) to approve the Lincoln County Language Access Plan.

Public Hearing – Leash Law for Windsor Forest and motion to adopt Ordinance #2011-4: An Ordinance Amending Chapter 92.08 of the Lincoln County Code of Ordinances Concerning Leash Laws: Ron Rombs presents a leash law petition from

Windsor Forest residents, in addition to a request for the Board of Commissioners to adopt Ordinance #2011-4.

ORDINANCE #2011-4: AN ORDINANCE AMENDING CHAPTER 92.08 OF THE LINCOLN COUNTY CODE OF ORDINANCES CONCERNING LEASH LAWS

THAT WHEREAS, the Board of Commissioners previously have adopted an ordinance Concerning Animal Control issues including leash laws for subdivisions; and

WHEREAS, Windsor Forest Subdivision has submitted a request to be added to the Lincoln County Leash Law; and

WHEREAS, according to plot map PIN# 3693-00-81-2955, there are a total of 48 partials within the Windsor Forest Subdivision; and

WHEREAS, the petition has a total of 27 entries, 25 of which have been confirmed; and

WHEREAS, the petitioners have succeeded in obtaining the required 50% acceptance of the residents in Windsor Forest Subdivision to include this subdivision in the Lincoln County Animal Control Ordinance Leash Law.

NOW, THEREFORE, BE IT ORDAINED by the Lincoln County Board of Commissioners as follows:

That Chapter 92.08 (a) of the Lincoln County Code of Ordinances is hereby amended to add Windsor Forest to the list of subdivisions approved for leash law.

That the provisions of this ordinance shall become effective immediately upon its adoption.

Adopted this the 7th day of February, 2011.

Alex E. Patton, Chairman

ATTEST:

Amy S. Atkins, Clerk to the Board

Chairman Patton opened the public hearing concerning the leash law for Windsor Forest.

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

UPON MOTION by Commissioner Klein, the Board voted unanimously to approve the Leash Law for Windsor Forest and to approve Ordinance #2011-4: An Ordinance

Amending Chapter 92.08 of the Lincoln County Code of Ordinances Concerning Leash Laws.

Report of Delinquent Taxes which are on a Lien on Real Estate Property NCGS 105.269 (a) and motion to adopt Resolution #2011-5: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens – Madge Huffman:

Madge Huffman presented a Report of Delinquent Taxes.

RESOLUTION #2011-5: A RESOLUTION ORDERING THE ADVERTISING OF DELINQUENT REAL ESTATE PROPERTY TAX LIENS

THAT WHEREAS, NCGS 105-369(a) requires the Tax Administrator to report to the Board of Commissioners the delinquent tax liens on real property; and

WHEREAS, the same statute requires the Board of Commissioners to order that these liens be published on a date established by the Board; and

WHEREAS, the Tax Administrator has submitted said listing of the delinquent tax liens on real property, and recommended an advertisement date of March 11, 2011 in the Lincoln Times News;

NOW THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that the Tax Administrator is hereby ordered to publish the list of delinquent tax liens on real property on March 11, 2011 in the Lincoln Times News.

Passed and adopted this 7th day of February, 2011

BY: _____
Alex E. Patton, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board

UPON MOTION by Commissioner Robinson, the Board voted unanimously to approve the motion to adopt Resolution #2011-5: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens.

Public Comments: Chairman Patton opened the public comments section.

Being no speakers, Chairman Patton declared the public comments section closed.

Report from County Manager on Request to Intervene in Foreclosure – George

Wood: Mr. Wood reported that at the January 24, 2011 Board meeting, Joshua Keener, on behalf of his mother and himself, asked the Board to intervene in a scheduled tax foreclosure on three parcels. He stated that he has discussed this matter with Madge Huffman who has discussed this matter with the Keeners. He has also discussed with Jeff Taylor. Mr. Wood stated that in their opinions, the Board of Commissioners has no authority to delay this foreclosure, nor is it good public policy to do so. NCGS 105-380 does not allow the Board to release, refund, or compromise any tax levied. In addition the Board charges the tax collector annually with the tax levy, and authorize and direct her to use all legal means allowed by NC statute to collect those taxes. There is no provision in the law that allows payment to be waived or the foreclosure process delayed.

Proposed Engineering Contract, Airport Sewer – Burns Whittaker: Burns Whittaker presented the following information regarding a proposed engineering contract for the airport sewer. The contract has been reviewed by all parties including the EDA and is satisfactory. He recommended approval.

UPON MOTION by Commissioner Arena, the Board voted unanimously to approve the Engineering Contract as presented.

Recommendation to Award the RFP 2010-1207 for the Lease of Digital Multi-Function Devices – Danté Patterson: Danté Patterson presented the following recommendation.

It is recommended that the Board approve the attached agreement with Toshiba Business Solutions for leasing of Digital Multi-Function Equipment for Lincoln County Offices.

The program is anticipated to save the County substantial amounts in reduced printing and copy costs over a period of 60 months by aggregating all leased equipment and consolidating this to a single provider for acquisition, service, and support.

As funds for the existing equipment are already budgeted, there will be no up front cost to the county to enter into this agreement. Some individual departments' cost may increase due to additional features or functionality. However, the anticipated first year over-all cost is expected to reduce around \$22,684.22. As the contract matures and is fully implemented, anticipated savings will exceed over \$50,000 annually. Over the entire term of the contract, Lincoln County could see as much as \$225,000 in savings over current expenditure.

UPON MOTION by Commissioner Robinson, the Board voted unanimously to approve the Recommendation to Award the RFP 2010-1207 for the Lease of Digital Multi-Function Devices.

Discussion of Permit Revocations at Burton Creek Subdivision, owned by Fifth

Third Bank – George Wood: George Wood said that after talking to the County Attorney, since there is a pending matter with a public hearing, he has been advised not to pursue this at this point. He asked to remove this from the agenda at this point. Mr. Wood said they have filed an appeal before the Board of Adjustment on the fines and they have a request for changes to the Conditional Use Permit on March 7.

Reorganization/Realignment of Animal Services Department/EMS: Martha Lide presented the following information on the Reorganization/Realignment of Animal Services Department/EMS.

The proposed realignment/reorganization will result in an estimated cost savings of \$42,000 and improved operational efficiency.

The proposed organizational changes are as follows:

- Eliminate the Director of Animal Services position (Grade 19). The Animal Services function will report to the EMS Director.
- Create an Animal Services Manager who will supervise and be responsible for day-to-day operations of the Animal Shelter and Animal Control Officers and will report to the EMS Director (Grade 17).
- Add one Animal Care Taker position and eliminate one Animal Services Officer position.
- Eliminate the Veterinary Technician/Animal Shelter Supervisor position (Grade 15) and add a Veterinary Technician position (Grade 12). As day-to-day management of the Shelter will be a responsibility of the Animal Shelter Manager, we no longer need the Veterinary Technician to supervise staff.
- The Performance Improvement Coordinator will now report to the Training Coordinator rather than the EMS Director.

The proposed changes/additions to the job descriptions/classifications are needed to bring them in line with the revised organizational structure, to incorporate additional minimum qualifications, and in some cases, modify job duties.

In addition, the North Carolina Prison System has agreed to provide us with five trustees to work at the Animal Shelter. This will provide additional needed coverage.

RESOLUTION #2011-7:
RESOLUTION TO AMEND THE CLASSIFICATION AND COMPENSATION PLAN
FOR LINCOLN COUNTY, NORTH CAROLINA

WHEREAS, the Board of County Commissioners previously has adopted a Classification and Compensation Plan for Lincoln County, North Carolina, which was prepared by Condrey and Associates, Inc.; and

WHEREAS, the County Manager is charged with assuring the Plan remains current and up to date; and

WHEREAS, the Emergency Services Director has proposed the attached reorganization and realignment of the Animal Services Department/EMS Department; and

WHEREAS, the Emergency Services Director has also requested that the attached job descriptions and classification changes for the Emergency Services Director, Animal Services Manager, Animal Services Officer, Administrative Secretary – Animal Services, Animal Care Taker, Veterinary Technician, Training Coordinator – EMS, and Performance Improvement Coordinator be made to coincide with the organizational changes;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that in order to implement this reorganization plan, the Board of County Commissioners authorizes and approves the following:

1. That the attached organization chart is approved.
2. That the Classification and Compensation Plan for Lincoln County, North Carolina is hereby amended to incorporate the attached job descriptions and classifications for the Animal Services Department and Emergency Medical Services.
3. That the EMS Director shall be compensated an additional 10% within the current grade for the position for assuming the duties of the previous Animal Services Director position. In addition, he shall be eligible for probationary increase as determined by the County Manager.

That this amendment shall become effective on _____.

Adopted this _____ day of _____ 2011.

LINCOLN COUNTY

By: _____

Alex Patton, Chairman
Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board of Commissioners

Commissioner Klein questioned the reasoning behind putting Animal Services under EMS. Mr. Wood stated that Ron Rombs is used to dealing with drug logs, controlled substances, DEA laws and euthanasia is a major component of this. Another component is the care of animals and then answering complaints in the field.

UPON MOTION by Commissioner Arena, the Board voted unanimously to approve the Reorganization/Realignment of Animal Services Department/EMS.

Resolution #2011-6: Resolution to Appoint Animal Appeals Board: Carl Robinson presented the following information on Resolution #2011-6: Resolution to Appoint Animal Appeals Board.

RESOLUTION #2011-06
Resolution Naming Members the Board of Animal Appeals

WHEREAS, the Lincoln County Code of Ordinances 92.07 (E)(5) requires that Lincoln County Board of Commissioners appoint a Board of Animal Appeals to conduct hearings concerning dangerous dogs; and

WHEREAS, two members must initially serve one-year terms and three members must initially serve two-year terms and after the initial terms, all terms shall be for a period of two years, so that the appointments are staggered; and

WHEREAS, the Board of Animal Appeals must be composed of five (5) members and must consider the following criteria when making the appointments:

- (1) A person that is familiar with animals and works with them on a regular basis (e.g., a veterinarian or technician who works in a veterinary clinic);
- (2) A person who is active in animal welfare issues;
- (3) A law enforcement officer; and
- (4) Two citizens at large (preferably one that does not own a dog).

NOW THEREFORE BE IT RESOLVED by the Lincoln County Board of Commissioners that the Board of Animal Appeals will be comprised of:

- (1) Diane Leatherman
- (2) Douglas E Murray
- (3) Floyd Lincoln Grass Jr
- (4) Dr. Kristine Blankenship, DVM
- (5) Bill Beam, LCSO
- (6) Robin Franklin (ALTERNATE)

BE IT FURTHER RESOLVED that Diane Leatherman and Floyd Lincoln Grass Jr, are appointed for one-year terms, and Douglas E Murray, Dr. Kristine Blankenship,

DVM, Bill Beam, LCSO and Robin Franklin (ALTERNATE) are appointed to two-year terms.

Adopted this 7th day of February, 2011.

LINCOLN COUNTY

By: _____

Alex Patton, Chairman
Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board of Commissioners

UPON MOTION by Commissioner Arena, the Board voted unanimously to approve Resolution #2011-6: Resolution to Appoint Animal Appeals Board.

Update on Proposed N.C. Department of Cultural Resources Rules Regarding Regional Libraries – George Wood: George Wood presented the following update on proposed N.C. Department of Cultural Resources rules regarding regional libraries.

Motion to Approve Changes to Medical Insurance Plans as Recommended by County Manager – George Wood: George Wood presented the following changes to the medical insurance plans.

The County self-insures for employee medical insurance. It is funded in the Health Benefits Fund of the County's Budget. The County budgets within the various departments for the employer portion, and those funds are transferred monthly into the Health Benefits Fund. The Employee portions are payroll-deducted and also transferred monthly into the Health Benefits Fund. The employee portions are payroll-deducted and also transferred monthly into the Health Benefits Fund. There are two optional plans to select from: the PPO Plan and the HAS Plan. The PPO Plan allows employees to pay for deductibles, copays, premiums, and other expenses on a pre-tax basis by making payroll deductions into a Flexible Spending Account. The HSA Plan provides \$750 from the County, into a Health Savings Account, into which employees can then make pre-tax payroll deductions for deductibles, copays, premiums, and other expenses.

The County has entered into an ASO (Administrative Services Only) contract with Blue Cross-Blue Shield of NC to handle employee enrollment, administer the claims for our plan, and to participate in their Preferred Provider Organization (PPO) network of health care providers. The PPO gives us a significant discount from provider rates outside this network. We have hired Mark III, an insurance brokerage, to help us design the elements of our medical insurance plan and advise us on best practices.

To guard against excessive claims in a bad claims year, we have specific stop loss insurance that caps our exposure on any claim at \$90,000. In past years, we have had

aggregate stop loss insurance also. This caps our total claims in the year at 125% of the anticipated claims. We dropped the aggregate stop loss insurance in FY 2011. We have never come close to a 125% claims year, nor have any other jurisdictions of which I am aware. Any savings on claims during a fiscal year are carried forward as fund balance in the Health Benefits Fund to act as a reserve for future claims should we experience an abnormally high claims year.

Employees can choose from four coverage options, in either, in either the PPO or the HSA plans : 1) Employee Only; 2) Employee and Spouse; 3) Employee and Children; or 4) Family. They can also choose whether to have dental coverage. There are different premiums for each of these coverage levels.

By changing nothing about our plan this year, we would be faced with an 11% increase in recommended premiums. Neither employees, nor the County, can afford that kind of increase.

An 11% increase in medical expenses would cost the county about \$625,300. We asked Mark III to provide us with options with only a 3% increase in County funding and 3% increase in employee premiums. In order to keep costs in that range, we are recommending that you adjust the plan as follows:

Under the PPO Option:

1. Increase the Individual Deductible from \$1,000 to \$1,500.
2. Increase the Maximum Family Deductible from \$2,000 to \$3,000.
3. Increase the Primary Care Physician office visit copay from \$30 to \$35.
4. Increase the Specialist Physician office visit copay from \$50 to \$70.
5. Increase the Urgent Care copay from \$60 to \$70. (The State's health plans charge \$75 for this.)
6. Increase the Emergency Room copay from \$250 to meeting the Deductible, then the employee paying 20% of the cost.
7. Increase the four levels of Pharmacy from \$10/\$45/\$60/ and 25% to meet a separate \$150 Deductible, then charge \$10/\$45/\$60/ and 25%.
8. The Lifetime Maximum of \$5,000,000 has been changed to Unlimited, as required by new federal legislation.
9. These 3% increases in employee premiums would be for those employees who agreed to a health screening to help identify high-risk health issues and pursue preventive treatments. Those employees not agreeing to the health screening would pay a premium that is \$30 per month higher.
10. The County would begin a Wellness Program run by CMC-Lincoln that would provide initial health screenings, then prescribe a treatment for high-risk individuals to prevent major problems before they happen. The cost of this program has been proven in other jurisdictions to more than pay for itself from decreased medical claims.

The theory behind these increases is that instead of increasing the premiums on all employees, we should recoup more of the cost of medical expenses from those employees who utilize it the most. Increasing copays does that. So does higher deductibles. In addition, we still have employees who use the Emergency Room instead of a primary physician or an Urgent Care

facility. The higher copay should discourage this misuse of the ER. The average ER visit costs us close to \$1,000.

Under the HSA Option:

1. There would be no changes to the HSA Option, except to lift the \$5,000,000 Lifetime Maximum as required by new federal legislation.

No one likes their premiums increased, or their medical plan benefits scaled back. But we simply cannot absorb these types of increases. We have tried to minimize the impact on employee's premiums, only going up 3%. But, the added costs cannot be absorbed without changing the plan to reduce costs. The options listed above do that. Even with these changes, our costs are projected to increase \$170,536. We recommend your approval of this proposal for increased premiums and changes in the benefits structure of the plans.

Commissioner Arena asked about the Emergency Room costs and asked about what difference it would make to have a copay instead of deductible.

The Board tabled and asked Mr. Wood to bring the different Emergency Room information to the next meeting.

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

Amy S. Atkins, Clerk
Board of Commissioners

Alex E. Patton, Chairman
Board of Commissioners