

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, AUGUST 19, 2013**

The Lincoln County Board of County Commissioners met August 19, 2013 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:**

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

**Call to Order:** Chairman Patton called the August 19, 2013 meeting of the Lincoln County Board of Commissioners to order and led in an Invocation.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, August 19, 2013**  
**6:30 PM**

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

Call to Order

Invocation – Chairman Patton

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
  - Approval of Minutes
  - Tax Requests for Refunds
    - July 8 - 21, 2013
  - Waived Fees - Toys for Tots
  - 2014 Employee Holiday Schedule
  - Planning and Inspections Fee Schedule Revision

3. Planning Board Recommendations - Randy Hawkins
  - CZ #2013-1 Robert Watson, applicant
  - CZ #2013-2 John Coughlin, applicant
  - PCUR #160 Jeff Wilkinson, applicant
  - CUP #324 James Satiro, applicant
  - CUP #325 Dwain Exline, applicant
4. Public Hearing - Road Naming - Burton Family Lane - Netta Anderson
  - Motion to approve the road name of Burton Family Lane
5. Public Hearing - 2009 CDBG Scattered Site Housing Close Out - Andrew Bryant
  - Motion to close out the program and to authorize the Chairman to sign all closeout related documents
6. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
7. Motion to Approve Franchise for AED Plus for Howard's Creek Volunteer Fire Department
  - Ron Rombs
8. Reports from Planning and Inspections - Andrew Bryant
  1. Annual Maintenance Permit Program
  2. Real Estate Sign Update
  3. Abandoned Structure Update
9. Motion to Approve Memorandum of Understanding with Gaston-Cleveland-Lincoln MPO
  - Andrew Bryant
10. Presentation of Library's Strategic Plan - Lyn Hopper, Jennifer Sackett
  - Motion to Adopt Lincoln County Public Library Strategic Plan for Service for fiscal years 2014-2017
11. Motion to Adopt Resolution #2013-28: A Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator and Motion to Adopt the Order Directing the Tax Collector to Collect the Taxes Charged in the Tax Records and Receipts - Kep Kepley
12. Motion to approve E-911 and Animal services Agreement between the Lincolnton and Lincoln County - Martha Lide
13. Motion to approve Water Provision Agreement between the City of Lincolnton and Lincoln County
  - Martha Lide
14. Motion to approve Agreement regarding Fire Services between Lincoln County and the City of Lincolnton – Martha Lide
15. Motion to Approve Revised Ordinance Regulating Special Events and Mass Gatherings and Motion to Approve Resolution #2013-29: Resolution Approving Fees and Other Charges for Special Events and/or Mass Gatherings in Lincoln County, NC – Martha Lide
16. Employee Wellness Program Update - Martha Lide
17. Incentives for Employee Wellness – Martha Lide
18. Motion to approve Employment Contract with Mr. William Tracy Jackson
19. Finance Officer's Report - Deanna Rios

20. County Manager's Report
  - Property Tax Collection Report
  - CDBG Grant for Denver Global
  - CAFR Recognition
  - Ore Bank Pumpkin Center Fire Insurance District Evaluation
21. County Commissioners' Report
22. County Attorney's Report
23. Vacancies/Appointments
24. Calendar
  - Connect Our Future Workshop – September 23, 2013
25. Other Business
  - Register of Deeds Report

Adjourn

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

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

- Tax Requests for Refunds
  - July 8 - 21, 2013
- Waived Fees - Toys for Tots
- 2014 Employee Holiday Schedule
- Planning and Inspections Fee Schedule Revision

\*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.\*

**Recommendations from Planning Board:**

Randy Hawkins presented the following recommendations:

**CZ #2013-1 Robert Watson, applicant** (Parcel ID# 02300) A request to rezone 4.5 acres from I-G (General Industrial) to CZ B-G (Conditional Zoning General Business) to permit an indoor shooting range. The property is located on the west side of N.C. 16 Business about 400 feet south of Natalie Commons Drive in Catawba Springs Township.

The Planning Board voted 6-0 to recommend approval with the following condition:  
The shooting range shall not open before 12:30 p.m. on Sundays.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve the Statement of Consistency and Reasonableness.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve CZ #2013-1 – Robert Watson, applicant, based on the recommendation of the Planning Board with the following condition: the shooting range shall not open before 12:30 p.m. on Sundays.

**CZ #2013-2 John Coughlin, applicant** (Parcel ID# 89431) A request to rezone 0.9 acre from B-N (Neighborhood Business) to CZ B-G (Conditional Zoning General Business) to permit a two-unit commercial development, with a Dunkin' Donuts proposed for one of the units. The property is located on the west side of N.C. 16 Business about 600 feet north of Townsend Drive in Catawba Springs Township.

The Planning Board voted 6-0 to recommend approval.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the Statement of Consistency and Reasonableness.

Commissioner Klein asked Planning Board Chair Christine Poinsette to share the Planning Board's discussion on lengthening the deceleration lane.

Christine Poinsette, Planning Board Chair, stated that they did discuss the decal lane, and it was explained by Planning staff that it was too short, you could not make it any longer, and it would not impact the traffic.

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to approve CZ #2013-2 –John Coughlin, applicant, based on the recommendation of the Planning Board.

**PCUR #160 Jeff Wilkinson, applicant** (Parcel ID# 23338) A request for a parallel conditional use rezoning of 0.9 acre from R-S (Residential Suburban) to CU B-G (Conditional Use General Business) to permit additional parking for a car dealership. The property is located on the east side of James Street about 300 feet north of N.C. 27 in Ironton Township.

The Planning Board voted 6-0 to recommend approval.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the Statement of Consistency and Reasonableness.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve the Rezoning Request.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the Conditional Use Permit based on the Findings of Fact as presented by the Planning Board.

**CUP #324 James Satiro, applicant** (Parcel ID# 72780) A request for a conditional use permit to sell vehicles in the B-G (General Business) district and the Eastern Lincoln Development District (ELDD). The 1.0-acre parcel is located at 1763 Triangle Circle, on the northern end of Triangle Circle about 250 feet west of N.C. 16 Business, in Catawba Springs Township.

The Planning Board voted 6-0 to recommend approval (after voting 6-0 not to approve an alternative site plan that would have reduced the width of the required

road buffer).

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to approve Conditional Use Permit #324 – James Satiro, applicant, based on the Findings of Fact as presented by the Planning Board.

**CUP #325 Dwain Exline, applicant** (Parcel ID# 84785) A request for a conditional use permit to sell vehicles in the I-G (General Industrial) district. The 1.0-acre parcel is located at 4194 Burnwood Trail, on the east side of Burnwood Trail about 1,900 feet south of N.C. 16 Business, in Catawba Springs Township.

The Planning Board voted 6-0 to recommend approval.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve Conditional Use Permit #325 – Dwain Exline, applicant, based on the Findings of Fact as presented by the Planning Board.

**Public Hearing – Road Naming – Barton Family Lane – Netta Anderson:**

Netta Anderson presented the following information:

The road is located off of Stagecoach Rd and requires naming due to a Plat being recorded. The road name proposed is **Barton Family Lane** and was agreed to by all residents. The name is not a duplicate or sound-alike and has been approved by Communications.

Proposed Private Road –Road Name- **Barton Family Lane**

This road is located off of Stagecoach Rd and requires naming due to a plat being recorded.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the road name of Barton Family Lane.

**Public Hearing – 2009 CDBG Scattered Site Housing Close Out – Andrew Bryant:**

Andrew Bryant stated that this agenda item is to inform the public of the County's intent to close the 2009 Scattered Site Housing Program. The objective of the program is to provide housing repair assistance to low-moderate income homeowners in Lincoln County.

In 2009 Lincoln County received \$400,000 in Community Development Block Grant funds from the North Carolina Department of Commerce, Division of Community Assistance to provide housing repair assistance.

Chairman Patton opened the public hearing concerning the 2009 CDBG Scattered Site Housing Close Out. Being no speakers, Chairman Patton declared the Public Hearing closed.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to close out the program and to authorize the Chairman to sign all closeout related documents.

**Public Comments:** Chairman Patton opened public comments.

Being no speakers, Chairman Patton closed public comments.

**Motion to Approve Franchise for AED Plus for Crouse Volunteer Fire Department:**

Ron Rombs presented the following information:

Pursuant to North Carolina Statutes 131E-155 through 162; 143-507 through 519; 143B-165 and North Carolina Administrative Code Title 10, Chapter 13, Subchapter 13P, the Lincoln County Board of Commissioners has designated Lincoln County Emergency Medical Service as the System Administrator for providing emergency medical services in Lincoln County, North Carolina. This designation was made through an official resolution of the Lincoln County Board of Commissioners on February 17, 2003 during the board's regular meeting.

The Lincoln County Emergency Medical Services Franchise Ordinance establishes a process that prevents organizations from operating, maintaining, and advertising or otherwise be engaged in the service of emergency and/or non-emergency care and/or transportation of patients within the county of Lincoln unless the person or organization has been granted a franchise for the operation of such service by the county.

The EMS System Plan for Lincoln County is based on continuation of the existing, established system provided by LCEMS and other public safety agencies. The system is fully functional and provides a consistent level of service throughout the county.

The request is from **Crouse Volunteer Fire Department**, requesting a franchise for AED Plus, which allows the department to function at the EMT-Basic level medical first responder (non-ambulance) for their respective fire district when EMT's are available. Presently they are functioning as an Automatic External Defibrillator (AED) responder agency.

This request is viewed favorable to the citizens of Lincoln County and is recommended for approval by the Lincoln County EMS Peer Review Committee.

**UPON MOTION BY** Commissioner Martin, the Board voted unanimously to approve the Franchise for AED Plus for Crouse Volunteer Fire Department.

**Reports from Planning and Inspections:**

Andrew Bryant presented the following:

**Annual Maintenance Permit Program:** In order to facilitate and encourage the proper permitting of system maintenance in commercial facilities throughout the county the Lincoln County Planning & Inspections Department is proposing to implement an Annual Maintenance Permitting Program. This program is modeled after a program developed in Buncombe County to aid in the permitting of maintenance in their schools system. We chose to extend this program to all commercially permitted facilities in our county. We feel that by opening up the scope of the program we can help companies ensure that work being performed is properly inspected but with minimum cost to the business. The status quo for this type of permitting would be to permit each repair individually thus costing the facility much more in the long run.

The system would require that in order to be eligible for the permit that the qualifiers who are performing the work be full time employees of the company. If a company operates multiple facilities in the county each facility would be required to obtain a separate set of maintenance permits. Annual maintenance

permits would be renewed on an annual basis and cost the sum total of the individual trade permits.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to adopt the Annual Maintenance Permit Program.

**Real Estate Sign Update:** After the Planning Board's initial recommendation that would have relaxed the placement of real estate signs on the weekend the Board of Commissioner's recommended that the Planning Board revisit the issue in order to create a more equitable solution. The Planning Board's most recent recommendation is to not make any modifications to sign regulations related to real estate signs.

The original recommendation from the Planning Board was to allow additional real estate directional signs, each not exceeding four square feet in area between the hours of 5 p.m. on Fridays and 8 a.m. on Mondays.

**A MOTION** by Commissioner Klein to accept the Planning Board's original recommendation.

VOTE: 2 – 3                    AYES: Martin, Klein

NOES: Mitchem, Patton, Robinson

**A MOTION** by Commissioner Mitchem to approve the Planning Board's original recommendation for all businesses, not just real estate signs.

VOTE: 1 – 4                    AYES: Mitchem

NOES: Martin, Klein, Patton, Robinson

**A MOTION** by Commissioner Martin to increase the number of off-premise directional signs for real estate to a maximum of 10 (ten) signs from Friday to Monday.

VOTE: 3 – 2                    AYES: Martin, Klein

NOES: Mitchem, Patton, Robinson

**Abandoned Structure Update:** At the July 15, 2013 meeting of the Lincoln County Board of Commissioners the Commission directed staff to determine what options the County had to address abandoned structures that had also been condemned. After evaluating several options staff has determined that the best tool to utilize in addressing these issues is an Abandoned Structure Ordinance. This ordinance has a very narrow scope and only addresses abandoned structures and does not delve into the realm of a minimum housing code. This proposed ordinance would aid our Chief Building Official in dealing with the most egregious of violations and have a tool to deal with orders of condemnation that are

ignored.

**Motion to Approve Memorandum of Understanding with Gaston-Cleveland-Lincoln MPO:**

Andrew Bryant presented the Board with the opportunity to join the Gaston-Cleveland-Lincoln MPO.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the Memorandum of Understanding with Gaston-Cleveland-Lincoln MPO.

**Motion to Adopt Resolution #2013-28: A Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator and Motion to Adopt the Order Directing the Tax Collector to Collect the Taxes Charged Tax Records and Receipts:** Kep Kepley presented the following information:

Chapter 105-373 of the North Carolina General Statutes require that the county tax collector make an annual settlement with the governing body each year after July 1. The settlement is to be made prior to taxes for the coming year being turned over to the collector for collection.

The settlement is intended to show that all taxes have been properly accounted for and that the collector is making an honest and diligent effort to collect all taxes due the county. Approval of the settlement by the governing board does not relieve the collector of any liability that may arise after the settlement.

The settlement report will be reviewed by our county finance officer prior to submission to the board.

After approval of the tax settlement, the Board is requested to authorize the collection of taxes for the tax year 2013-2014.

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to adopt Resolution #2013-28: A Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator and to Adopt the Order Directing the Tax Collector to Collect the Taxes Charged Tax Records and Receipts.

**Motion to approve E-911 and Animal Services Agreement between the City of Lincolnton and Lincoln County:** Martha Lide presented the following:

It is recommended that the Board approve the Service Provision Agreement between the City of Lincolnton and Lincoln County concerning Emergency Dispatch Services (E911 Communication Services) and Animal Services. This Agreement is one of the three agreements that have been negotiated between the City and the County to resolve concerns on equity of payment for services, and provide the most efficient government services for taxpayers of this County. In addition to this Agreement, on tonight's agenda there is a Fire Services Agreement and a Water Provision Agreement. These contracts have been negotiated by Commissioners Robinson and Klein, Former County Manager George Wood, Mayor John Gilleland Jr., and City Manager Jeff Emory.

Below are the significant highlights of the attached Service Provision Agreement:

- It is a 20-year agreement (September 2013 through July 31, 2033) with one year automatic renewal options thereafter.
- It provides that the City will increase the amount they pay the County for providing Animal Control Services and Emergency 911 police and fire dispatch services over the next 5 years. The current cost of providing 911 Communication dispatch services to the City is estimated to be

\$270,605. The current cost of providing Animal Control services to the City is estimated to be \$147,117. Under a previous long standing agreement, the City has been paying the County \$50,000 for 911 dispatch services, and \$6,300 for Animal Control services. Over the first five-year period of the agreement, the City will incrementally increase their payments for services until they reach the payment level, which is more commensurate with the cost of providing those services (\$417,723).

- After the initial five years, the calculation of the amount the City will be required to pay the County will be based on the number of fire dispatches, police dispatches, animal service calls and animal drop offs, with each multiplied by the average cost the County must incur to provide each of those respective services.
- Both the City of Lincolnton and Lincoln County agree to hold each other harmless.

Commissioner Robinson stated that they met several times to work through the agreements and thought these were fair agreements to benefit both. He said he understands the City did not approve these, but he feels the Board needs to move forward with approval.

Commissioner Klein thanked the Mayor and City for serving on the committee involved with these agreements. He said it is unfortunate the City doesn't agree with the fact that this is a win-win for both City and County residents. He asked the Board to support all these agreements.

Mayor John Gilleland said this is a good deal for Lincoln County and the City of Lincolnton, but unfortunately the majority of City Council did not agree with this. He said these agreements are important for City and County residents. He asked the Board to consider negotiations with the new committee made up of City Councilmen.

Chairman Patton stated that these agreements were started in the 1970's and need to be updated.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve E-911 and Animal Services Agreement Between the City of Lincolnton and Lincoln County.

**Motion to approve Water Provision Agreement between the City of Lincolnton and Lincoln County:** Martha Lide presented the following:

This agreement is one of three agreements that need to be approved concurrently by both boards. They are the result of the culmination of discussions that began between the County and the City of Lincolnton over the past two years. Commissioners Carl Robinson and Jim Klein, Former County Manager George Wood, Mayor John Gilleland Jr., and City Manager Jeff Emory conducted the negotiations regarding these agreements. Both organizations realized that, by working together, we could both improve the efficiency and cost effectiveness of government services. There was also a need for a more equitable reimbursement to the County by the City for the provision of certain services. In addition to this agreement, on tonight's agenda there is a Fire Services Agreement and a Services Provision Agreement which are part of this overall agreement to work cooperatively.

This Water Provision Agreement was developed because the City of Lincolnton has excess water capacity, and the County has a need for additional water. While the County could expand its water treatment facilities, we have determined that it is more advantageous to both the City and to the County's water customers to purchase water from the City under the conditions of this agreement. Below are some of the significant points of the agreement:

- At the start of this agreement, the County agrees to purchase a minimum of 111 million gallons of water annually from the City (an average of 304,109 gallons per day). The maximum amount of water the County can purchase from the City is 2 million gallons per day, or 730 million gallons per year.
- The County will pay \$1.00 per every 1,000 gallons purchased at the start of this contract. If, in the future, the City approves a rate increase, the County will pay the same percentage increase for volumetric charges that Lincolnton charges its inside-city, standard residential customers in non-drought conditions (the “Standard Rate”), provided, however, that Lincolnton may not reduce its administrative or other account fees and increase the Standard Rate to make up for said reduced fees.
- As the County increases the amount of water purchased, certain provisions concerning the transfer of the sewer infrastructure to the City and the annexation property are triggered:
  - At the starting minimum level of water purchase (111 million gallons per year), the County will transfer to the City the Airport Sewer Project infrastructure. This infrastructure is being built through a \$1.7 Economic Development Administration (EDA) grant, and is currently under construction.
  - When the County reaches the water purchase level of 293.5 million gallons per year, the County may convey the Lincoln Industrial Park Sewer infrastructure to the City. For the first five years after such conveyance, the County is agreeing to contribute a percentage of the equipment repair and replacement costs for nonfunctioning major components of infrastructure costing more than \$5,000.
  - When the County reaches the water purchase level of 476 million gallons per year, the County may convey the Timken area sewer infrastructure to the City. For the first five years after such conveyance, the County is agreeing to contribute a percentage of the equipment repair and replacement costs for nonfunctioning major components of infrastructure costing more than \$5,000.
  - When the County reaches a water purchase level of 567.25 million gallons per year, the City will annex the following County-owned real properties: the animal shelter, emergency medical services headquarters, sheriff’s office and jail, all of which are part of tax parcel number 01979.
  - If at the end of the fiscal year, it is determined that the County has not purchased the minimum amount of water required at each minimum water purchase level required by the contract, the County will have to pay for the minimum amount of water we agreed to purchase.
- The contract contains provisions to ensure that the quality of water purchased meets all drinking water standards, and that the County will not withdraw the water at a rate that negatively impacts City customers.
- The County is agreeing to provide for billing of Lincolnton sewer customers in “pocket” areas where we provide the water service. Lincolnton has had a problem with the collection of sewer service fees because it is not possible to terminate sewer service. As the County provides the water service, we will be able to terminate service for non-payment. The provision of this billing service is contingent upon the City providing Fire Service in three “pocket” areas. The County has a goal of providing fire protection services at the Class 9 level or below. The Howard’s

Creek VFD, Union VFD, and N321 VFD are not able to provide fire protection services to the three “pocket” areas contained in this agreement, at the Class 9 or below level in a cost effective manner.

- The term of this agreement is twenty years, from September 2013 through July 31, 2033. A notice of termination of the agreement must be given at least five (5) years prior to when the termination takes effect. The agreement can be extended for five (5) additional one year periods, but the five (5) year termination requirement remains in effect. This provision has been included to allow the County time to construct the water treatment infrastructure necessary to provide water if the contract is terminated.

The agreement calls for the City and County to more clearly define the areas in which the County and the City will be responsible for providing water and sewer services. Maps outlining these areas will be developed and presented to the Board of County Commissioners and City Council for approval within six months of this agreement.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve the Water Provision Agreement between the City of Lincolnton and Lincoln County.

**Motion to approve Agreement regarding Fire Services between Lincoln County and the City of Lincolnton:** Martha Lide presented the following:

It is recommended that the Board approve the Fire Service Agreement between Lincoln County and the City of Lincolnton. The agreement is one of three agreements that need to be approved concurrently by both boards. They are the result of the culmination of discussions that began between the County and the City of Lincolnton over two years ago. Commissioners Carl Robinson and Jim Klein, Former County Manager George Wood, Mayor John Gilleland Jr. and City Manager Jeff Emory conducted the negotiations regarding these agreements. Both organizations realized that, by working together, we could both improve the efficiency and cost effectiveness of government services. There was also a need for a more equitable reimbursement to the County by the City for the provision of certain services. In addition to this agreement, on tonight’s agenda there is a Water Provision Agreement and a Services Provision Agreement which are part of this overall agreement to work cooperatively.

The significant points of this Fire Services agreement are:

- A Lincolnton Rural Fire District will be created, and will be comprised of portions of the North 321 VFD District, Howards Creek VFD District; and Union VFD District, as outlined in the “zone areas” on the attached map.
- The City of Lincolnton Fire Department agrees to respond to structure fires and fire alarms within the Lincolnton Rural Fire District.
- Each of the respective volunteer fire departments will continue to respond to structure fires and fire alarms, but will be the “second in department” for their zone areas.
- Each volunteer fire department will continue to run all other calls for each zone area that was theirs, including, but not limited to, calls for: debris removal; debris clearance; traffic control; search and rescue; evacuation; response to motor vehicle accidents; response and functioning at the EMS level as franchised through Lincoln County EMS and Lincoln County; provision of rescue services at the level of certification recognized through NCAREMS; and any other lifesaving and property protection measures as necessary.
- Each of the volunteer fire departments currently operating within the Lincolnton Rural Fire

- District will continue to receive the tax money collected from their old fire districts.
- Both parties are agreeing to insurance requirements, record keeping and reporting provisions.
- The term of this agreement is 20 years from September 2013 through July 31, 2033. The Agreement contains an automatic one-year annual renewal provision, unless modified by mutual agreement or terminated by either party. Either party may terminate the agreement with thirty days' notice or for any breach of agreement; however, the provision in the Water Provision Agreement will be terminated if this contract is terminated.

**UPON MOTION** by Commissioner Martin, the Board voted unanimously to approve the Agreement Regarding Fire Services Between Lincoln County and the City of Lincolnton.

Chairman Patton informed the Board of a potential agreement concerning the Lincolnton-Lincoln County Airport.

**Motion to Approve Revised Ordinance Regulating Special Events and Mass Gatherings and Motion to Approve Resolution #2013-29: Resolution Approving Fees and Other Charges for Special Events and/or Mass Gatherings in Lincoln County, NC:** Martha Lide presented the following information:

It is recommended that the Board approve the attached revised Ordinance regarding Special Events and Mass Gatherings. The original Special Events Ordinance was passed by the Board July 16, 2012. The first responder agencies have found the Ordinance to be a valuable tool; it has helped our community to be prepared and to be able to respond to emergency situations related to these special and mass gathering events. Over the past year, the County has received requests for 23 Special Events / Mass Gatherings applications. All of the applications which were received, were approved. The County received four requests for exemptions from fees and charges related to the Ordinance; all were approved by the Board. The total estimated cost of the fees that were waived for events was \$32,280.

A committee that included representatives from the County Manager's Office, Emergency Medical Services, Fire Marshall's Office, the Fire and Rescue Association, and Parks and Recreation met to review and recommend changes to the Ordinance which has been in effect for one year. Over the past year, there has been an increase in the numbers of requests from the television and film industry to conduct filming in our community, and we find that we need some clear and consistent guidelines in responding to these requests.

Below are the recommended changes to the Special Events and Mass Gathering Ordinance:

- The definition of a “covered event” has been expanded to include television and film productions.
- The Parks and Recreation Department, in addition to notifying the Lincoln County Special Events/Mass Gathering Application Review Committee, will

inform the following agencies and departments if they are going to be affected by the event:

- North Carolina Department of Transportation (NCDOT)
- Duke Energy Lake Management
- Lake Norman Marine Commission
- NC Highway Patrol
- Any event that will impact a public road way must obtain the approval from the NCDOT
- Any event done on or around the lake must obtain approval of the Lake Norman Marine Commission and Duke Energy.
- Additional standards and guidelines for the Film and Television events have also been included:
  - A pre-production meeting is required between the Production Manager and the Lincoln County Special Events / Mass Gatherings Review Committee, or its designee.
  - A permit must be obtained, whether filming on public or private property.
  - Proof of insurance that meets County standards is required.
  - A security deposit of \$5,000.00 is requested. There have been several instances where County and local Fire department services were requested and the promised fees for these services have not been paid.
  - Television and production companies must notify affected businesses and residents before filming no less than three (3) days prior to the planned activity.
  - Production companies must not block fire hydrants, driveways, or other access ramps without prior approval, refrain from making excessive noise, and clean up all waste and left over materials..
  - When impacting roadways, production companies must be accompanied by at least one deputy sheriff.
  - Removal or alteration of vegetation is prohibited without prior approval.

The proposed changes related to the film and television industry are based on the City of Mooresville's guidelines and regulations. The Sheriff's Office and the Emergency Services Committee have reviewed and support these recommended changes.

**UPON MOTION** by Commissioner Robinson, the Board voted 3 -2 (FOR: Patton, Robinson, Martin; AGAINST: Klein, Mitchem) to approve Revised Ordinance Regulating Special Events and Mass Gatherings and to Approve Resolution #2013-29: Resolution Approving Fees and Other Charges for Special Events and/or Mass Gatherings in Lincoln County, NC.

**Employee Wellness Program Update:** Martha Lide gave an update on the Employee Wellness Program.

**Incentives for Employee Wellness:** Martha Lide presented the following information:

Lincoln County began our Wellness Program in December 2011 when the Board approved a voluntary Health Screening/ Health Coaching program for employees. An Employee Wellness Committee was formed in May 2012 to support the overall purpose of changing health related behaviors to:

- Improve the quality of life for our employees
- Better manage / control medical costs. Lincoln County is self-insured, which means the cost of all claims (excluding those covered by excess loss insurance policies) must be paid from County revenues.
- Reduce absenteeism

In March 2013, employees who participate in the program completed the second year of health screening. This report provides:

- Results of health screening completed in March 2013, including a comparison to last year's overall result.
- Results of a cohort of 471 employees who participated in screenings in 2012 and 2013.
- Also attached is an update on the Wellness Committee activities that have been completed this year

Lincoln County began our Employee Wellness Program in 2012-13. In our initial year of the program, we offered a Health Screening and Health Coaching for those employees determined to have more than two "risk factors" such as high cholesterol, high blood pressure, high glucose levels or a waist circumference above the normal range. All employees were encouraged to participate in the program. Health insurance premiums were maintained at the 2011-12 level for participants, but employees choosing not to participate were charged an additional \$30 per month in premiums. The Employee Wellness Committee was established, and their plan was adopted by the Board in August 2012. The 2013-14 premium structure will offer the same level of discount for participation in the Wellness Program, which is probably the most significant incentive we can offer.

The overall goal of our Employee Wellness Program is to change health-related behaviors to:

- Improve the quality of life for our employees
- Better manage and control medical costs. Lincoln County is self-insured, which means the cost of all claims (excluding those covered by excess loss insurance policies) must be paid from County revenues.
- Reduce absenteeism

The Wellness Committee considered various wellness initiatives and ways to encourage employee participation in the initiatives. The fact is that many people are not intrinsically motivated to live healthy lives. If we were, then we would not need wellness programs and our society would not be facing an obesity epidemic, high incidents of heart disease and diabetes, etc. Many companies and government organizations offer incentives to employees to help encourage healthy life styles and reduce health care costs (Attachment 1 lists programs offered by some of our neighboring Counties). Employee incentives are thought to be inexpensive in comparison to the cost of treating illnesses; however, it must be considered a long-term investment. Wellness program incentives attempt to build motivation by offering individuals external rewards for taking steps in the right direction.

The Lincoln County Employee Wellness Committee feels our incentive program should be based on the following principles:

- Make it desirable for employees to participate
- Measure results and impact of initiatives
- Start employee incentive program slowly and expand if successful
- Focus on high cost diseases (heart, diabetes, obesity, and smoking) which have the most chance of return on investment, but if possible, include options for all employees
- Incorporate employee cost-sharing and payroll deduction for specific activities offered and include reimbursement for successful completion and results

The Lincoln County Wellness Committee would like to propose the following employee incentives:

- Offer Weight Watchers “At Work”. This 12-week series would cost \$156 per person if a minimum of 15 people register. These 45-minute meetings would be scheduled during a lunch hour. Employees would be required to pay for the course through payroll deduction, but upon attending 90% of the required meetings, the employee can be reimbursed for 65% of the cost. (Estimated 15 successful participants x \$101 = \$1,521)
- Offer a “Quit Smart / Live Well” for employees that want to quit smoking. This program costs \$50-\$75 per person and includes 3 classes, a book, cigarette substitute and 3 boxes of nicotine replacement therapy medication. Employees would be required to pay for the course through payroll deduction, but upon completion of the course as verified by the instructor, the employee would be reimbursed by the County. Carolinas Health Care would provide the course. (Estimated 10 successful participants = \$750)
- Offer one lunchtime, 12-week exercise class series (Yoga/Stretching/Strength Training). The class would be offered in a County Facility (ex: DSS Large Conference Room). Employees would be required to pay a minimal fee for this series (\$10). The County would have to assume some liability if someone were to be injured in the class because it would be conducted on County property. (Estimated cost \$200 for teacher net of class fees 15 people)
- Offer 1 hour of comp time for participation in the 2013 Susan G. Komen Race for the Cure. This event will be held on Saturday, October 5, 2013. County departments would be encouraged to form teams. Employees would be required to submit a documentation form. This event would be an opportunity to encourage healthy exercise, to support an important cause, and to be a team-building event for County employees. (Estimated 50 hours of employee comp time)
- Offer a 16-week Wellness Program through the YMCA for employees with 3-4 risk factors . This program will cost \$150 per employee; the actual value of the program is \$350. This 16-week lifestyle management program will focus on helping those at higher risk of cardiovascular disease and risk of developing Type 2 diabetes adopt and maintain healthy lifestyles. The program will include a 16 week group based weight management classes, two Health Consultation, a Fitness Orientation, access to group exercise classes, wellness support seminars in weight management, stress management, nutrition and grocery shopping tours, and 4 months of access to the Lincoln County and Sally’s YMCA’s. (Attached YMCA Proposal Employee Wellness Program – High Risk). Employees would be required to pay for the \$150 course through payroll deduction, but upon attending 90% of the required meetings, the employee can be reimbursed for 50% of the cost. (Estimated 15 successful participants x \$75 = \$1,125)
- Offer a 16 week Wellness Program through the YMCA for employees with 0-2 risk factors. This program will cost \$150 per employee; the actual value of the program is \$340 per employee. This program will include a Health Consultation, a Fitness Orientation, access to group exercise classes, wellness support seminars in weight management, stress management, nutrition and grocery shopping tours, and 4 month of access to the Lincoln County and Sally’s YMCA.

(Attached YMCA Proposal Employee Wellness Program). The Wellness Committee is not recommending reimbursement for this program at this time.

- Provide programs throughout the year that encourage healthy lifestyles and provide rewards and prizes for participation and improvement, cooking health classes, etc. (Estimated cost \$204)
- Conduct a complete cost/benefit analysis to evaluate an on-site Health Department clinic for employees and their children who are on our health insurance plan.

The Committee would like to request that a \$3,800 budget be set aside in the 2013-14 fiscal year for the wellness incentives listed above. This equates to approximately \$6.00 per employee in our health insurance plan, although clearly the expenditures would be based on participation in certain programs.

Commissioner Klein said he struggles with the whole healthcare cost escalation issue and whether the county should offer incentives and disincentives. He asked if the Committee discussed disincentives.

Ms. Lide said they had some discussion and she is sure they will have more once they meet with Marc III, insurance consultants, concerning the health insurance plan for next year. She said if we cannot get costs under control, there may be disincentives. She gave the Board examples of the way other counties have changed insurance plans, such as only offering HSA insurance plans and tying contribution to HSA accounts to risk factors.

Commissioner Robinson said other areas have also adopted higher premiums for smokers. He said he likes the fact that we are offering a smoking cessation class.

Commissioner Klein said he would be interested in the Committee having a detailed discussion with the new County Manager when he arrives. He said he will support this program if the Committee will make a commitment to bring forward some comprehensive review to the other side of the equation.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve the incentives for Employee Wellness as presented.

**Motion to approve Employment Contract with Mr. William Tracy Jackson:** **UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve an Employment Contract with Mr. William Tracy Jackson.

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

**County Manager's Report:** Ms. Lide presented the County Manager's Report:

Property Tax Collection Report  
CDBG Grant for Denver Global Products – changes to project costs  
CAFR Recognition for Finance  
Ore Bank Pumpkin Center Fire Insurance District Evaluation

**County Attorney's Report:** Nothing reported.

**Vacancies/Appointments:** None reported.

**Calendar:** Ms. Lide informed the Board of the Connect Our Future Workshop on September 23, 2013.

**Other Business:**

**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