

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 18, 2015

The Lincoln County Board of County Commissioners met May 18, 2015 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Carrol Mitchem, Chairman
Bill Beam, Vice Chair
Martin Oakes
Cecelia A. Martin
Alex E. Patton

Others Present:

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

Call to Order: Chairman Mitchem called the May 18, 2015 meeting of the Lincoln County Board of Commissioners to order 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, May 18, 2015
6:30 PM

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

- Call to Order
- Pledge of Allegiance
- 1. Adoption of Agenda
- 2. Consent Agenda
 - Resolution #2015-18: Resolution Honoring Eagle Scout
 - Tax Requests for Refunds (Motor Vehicles) for February - March, 2015
 - Sponsored Group Status for Second Chance Ministries

- Surplus Property
- Approval of Minutes
- Budget Ordinance Amendment #10
- Proclamation Celebrating Lincoln County Public Library's 90 Years of Service
- 3. Planning Board Recommendations - Randy Hawkins
- 4. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
- 4a. Discussion and Vote on Invocation Policy
- 5. Budget Presentation - Kelly Atkins
- 6. Presentation Concerning the West Lincoln Library - Lindsay Fier
- 7. Resolution #2015-19: A Resolution Regarding the Waiver of Out of County Library Card Fees for Gaston County Residents
- 8. ~~Proposed Library Board Bylaw Revisions - Commissioner Oakes~~
- 9. Contract with Martin Starnes and Associates to Audit Accounts - Deanna Rios
- 10. Discussion and Vote on Invocation Policy – moved to 4a
- 11. Cost Estimate Update for County Office Space - Don Chamblee
- 12. Finance Officer's Report
- 13. County Manager's Report
- 14. County Commissioners' Report
- 15. County Attorney's Report
- 16. Vacancies/Appointments
- 17. Calendar
- 18. Other Business

Information Only - No Action Needed

- Register of Deeds Report
- Property Tax Collection Report

Adjourn

UPON MOTION by Commissioner Patton, the Board voted unanimously to adopt the agenda moving Item 10 to 4a and removing Item 8.

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

- Resolution #2015-18: Resolution Honoring Eagle Scout
- Tax Requests for Refunds (Motor Vehicles) for February - March, 2015

- Sponsored Group Status for Second Chance Ministries
- Surplus Property
- Approval of Minutes
- Budget Ordinance Amendment #10
- Proclamation Celebrating Lincoln County Public Library's 90 Years of Service

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.

Planning Board Recommendations: Randy Hawkins presented the following recommendations from the Planning Board.

UDO Proposed Amendments #2015-1 Lincolnton-Lincoln County Chamber of Commerce, applicant. A proposal to amend Article 3 (General Development Standards) of the Lincoln County Unified Development as follows:

- 1) Amend Section 3.2 to delete façade requirements for side and rear walls of nonresidential buildings, to allow non-corrugated metal as a primary material on a road yard façade, and to delete requirements for service bay orientation and screening.

The Planning Board voted 5-3 to recommend approval of the proposed amendment.

Commissioner Oakes said he has always believed that the real fix for this issue would be a West Lincoln UDO and an East Lincoln UDO. He said this amendment takes away the façade requirements for the East Lincoln Development District, because it relied on the UDO

A MOTION by Commissioner Beam to approve UDO #2015-1 #1 with the Statement of Consistency and Reasonableness.

VOTE: 2 – 3 AYES: Beam, Mitchem

NOES: Patton, Martin, Oakes

- 2) Amend Section 3.4.5 to state that foundation plantings shall be provided along building walls facing a public road or a parking area in a side yard (but not a parking area in a rear yard).

The Planning Board voted 5-3 to recommend approval of the proposed amendment.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve amending Section 3.4.5 along with the Statement of Consistency and Reasonableness as presented by the Planning Board.

- 3) Amend Section 3.4.10 to apply the interior landscaping requirement to parking lots with more than 40 spaces (up from 25), and to state that no parking space shall be located more than 75 feet (up from 50) from a planting island located in the same row of spaces.

The Planning Board voted 5-3 to recommend approval of the proposed amendment.

UPON MOTION by Commissioner Martin, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for the Planning Boards Recommendation 3.4.10 and to amend that section.

4) Amend Delete Section 3.5.9 to allow a developer of a commercial property to defer the construction of a driveway connection to adjacent property until the adjacent property is developed, and to allow the Director of the Planning and Inspections Department to waive the connection requirement in cases where property uses are not complementary or conducive for connections remove a requirement that nonresidential developments provide driveway connections to adjacent property.

The Planning Board voted 8-0 to recommend approval of the proposed revised amendment.

UPON MOTION by Commissioner Martin, the Board voted unanimously to approve the Statement of Consistency and Reasonableness and approve this section.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the proposed amendments as to Items 2, 3, and 4 on the list.

UPON MOTION by Commissioner Oakes, the Board voted 3 – 2 (AYES: Oakes, Patton, Martin; NOES: Mitchem, Beam) to add to the Statement of Consistency and Reasonableness that under the Reasonable and in the public interest that proposed amendment number 1 would affect the Eastern Lincoln Development District and that is the reason it has been turned down.

CUP #343 Steve McCoy, applicant (Parcel ID# 54772) A request for a conditional use permit to allow a detached garage to be built in front of a house on a lot that's adjacent to Lake Norman. The 0.98-acre lot is located at 4846 Lynwood Road in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve CUP #343 Steve McCoy, applicant, based on the Findings of Fact presented by the Planning Board.

UDO Proposed Amendments #2015-2 Lincoln County Planning and Inspections Department, applicant. A proposal to amend the Lincoln County Unified Development Ordinance as follows:

- 1) Amend Section 3.4.8.A to allow drive-thru lanes to be placed between the road and the associated building.
- 2) Amend Section 3.6.3.B.3 to make the maximum parking ratio applicable only to developments with more than 40 spaces and to increase the threshold for requiring pervious parking to 110 percent of the required minimum number of spaces.
- 3) Amend Section 3.6.3.C.2(b) to delete rescinded state stormwater requirements for parking areas of one acre or more that are not located in a water-supply watershed.
- 4) Amend Section 5.10.3 to stipulate that the amount of a required warranty bond for subdivision improvements is not less than 10 percent of the construction costs, to clarify that the one-year

bond period starts with the county's acceptance or approval of improvements, to make the bond subject to the approval of the Board of Commissioners, and to allow an irrevocable letter of credit as a bond option.

5) Amend Section 8.2.2.A to state that a Planning Board member may be appointed to a total of three successive three-year terms but no more than two successive terms in the same seat.

The Planning Board voted 8-0 to recommend approval of the proposed amendments.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve UDO Proposed Amendments #2015-2 along with the Statement of Consistency and Reasonableness.

Public Comments: Chairman Mitchem opened Public Comments.

UPON MOTION by Commissioner Patton, the Board voted unanimously to extend Public Comments to allow everyone that signs up to speak.

Chris Goodson said he was born and raised in Lincoln County and was dismayed when he read Mr. Mitchem's comments about religion and prayer before meetings. He asked the Board to adopt a policy with no invocation or a simple moment of silence.

William Keener said as a lifelong resident of Catawba County, he has spent a lot of time in Lincoln County. He said he was very concerned when he heard Mr. Mitchem's comments. He urged the Board to have a moment of silence or no invocation at all.

Tony Brown, a resident of Shelby, NC, said he is WICCA and has served as clergy for many years. He urged the Board to honor diversity.

Alan Hoyle encouraged the Board to continue with Christian prayer at meetings.

Jeannette Kokocheck spoke concerning the Library Bylaws and asked why she would be kicked off if these Bylaws change.

Rebecca Powell, Library Board Chair, informed the Board that Jennifer Sackett is currently serving as the Chair of the NC Public Library Association Legislative Committee. She said due to their efforts, the House of Representatives put an additional 10 million in the State budget for the libraries. It only has to pass the Senate and the libraries will have this funding available.

Steve Widows thanked the God fearing Board members and other God fearing men in the room.

Kristen Dittenberger spoke concerning German Shepherd wolf hybrid dogs being held in quarantine at the Lincoln County Animal Shelter. She said the dogs are in kennels that are too small and they are not taken out of the kennels. She asked if there was anything that could be done for the welfare of these dogs.

Granville Angell, resident of West Lincoln County for almost 35 years, expressed his concern about the Library in West Lincoln and the need for a better facility. He also spoke about the need for better internet in West Lincoln.

Alice Angell, reiterated what her husband said about the need for a full scale branch Library in Vale. She said she is a retired School Librarian and this is mostly for the children.

Teddy Ogle, 1404 Bess Chapel Church Road, said he is a Minister and is here to lift up the Lord Jesus Christ. He said America needs to stand up and declare that Jesus Christ is Lord.

Bruce Carlton said he served on the Board for 4 years and he and Alex Patton gave the Invocation then because they could not find pastors to do them. He said Lincoln County is an inclusive county and no one can say they have been discriminated against. He said the one thing that impressed him is that Carrol Mitchem apologized because he knew he made a mistake.

Dustin Bartow thanked Mr. Mitchem for apologizing and he appreciates it. He said he believes that people should be able to pray to whoever they want to. He presented the Board with information.

Joseph Payseur, 1137 Carlos Road, said he has lived in Lincoln County his whole life and is a Christian. He said he moved to Sudan and lived there for nine months as a Christian Minority. He said when he read the comments, this is not the America he wants to come home to. He said he does not want minorities oppressed in his hometown. He asked for a moment of silence as the obvious solution.

Billy Rogers, 7787 Chapel Creek Drive, said he doesn't care what religion people are, people should coexist.

Anthony Huss, 5017 Reepsville Road, said he is not here to attack or support religion. He spoke about the Oath of Office and using public office for private issues.

Chris Randall thanked God for all the other religions here and thanked Chairman Mitchem for standing up for what he believed in. He said the church has kept silent for so long that people no longer care what the church has to say. He volunteered to come pray for the meetings.

Ronnie Joe Ritchie, 169 Voyt Brendle Road, said we still live in America and can speak – freedom of press, religion, etc. He said we've gotten to a day and time in society when we can't say what we want, when we want, to who we want, and where we want. He said people don't have to agree with what you say, but you still have that privilege. He also spoke on the need for a new Library in West Lincoln.

Kirk Herbertson, 118 Hillcrest Drive, said he is a Christian and thanked Chairman Mitchem for standing up for what he believed. He also thanked Mr. Mitchem for apologizing. He spoke in favor of silent prayer.

Being no additional speakers, Chairman Patton closed public comments.

Chairman Mitchem read a statement saying:

Earlier this month, I was asked my opinion on the matter of prayers in our public meeting. I gave my opinion. I want to make clear that the opinion I gave was my own and not the opinion of the Board of Commissioners. It is both my goal and the Board's goal to come up with a clear, fair, and constitutional policy for giving invocations at board meetings. Let me say that everyone here that has spoken tonight, thank God you live in a country where you can get up and say what you want to say. Maybe sometimes, what I've said earlier and things that are said, sometimes it's good and sometimes it's bad, but I stand true to my faith and each one of you, whatever faith that is you stand true to it. I was asked one question by the news media that I never saw reported, sometimes they don't do that, they pick and choose what they want to put out. I was asked Carroll Mitchem can you be biased since you are a leader of county government, can you be biased if it is Muslim or a Jew. I said listen, that is their belief, some of those people have more faith than I have, don't matter what it is. When it comes to county business, if there is any person, don't matter about their religion, if it pertains to county business, I'm going to make sure I'm going to listen to you and I will talk to you about it. If you come forward to me, the first thing I'm going to ask you, I'm not going to ask you what your religion is, I'm going to ask you what your problem is that we can help you with. Now that is my stand and that is what I'm going to stick to it, and maybe you news media people can put that on the hour, when you come with your news stories – like I told one of you before, but I never saw that. So if any of you have any questions, after this meeting, when we get done, you feel free to call me because I will be willing to talk to you.

Discussion and Vote on Invocation Policy: Wesley Deaton, County Attorney, presented the proposed Invocation Policy.

Commissioner Martin said she is not in support of this policy because she feels the citizens elected the Commissioners to conduct county business, not to be their spiritual or religious leader or facilitators of any religion. She said a moment of silence at a meeting would allow County Commissioners and any attendee to gather their thoughts in preparation of the meeting.

Commissioner Patton said this policy basically formalizes what has been the informal policy for years. He said they have never discriminated against anybody who wanted to give an Invocation before the Board. He said he is a Christian and is going to be a Christian, but his Bible tells him not to hate and to love even his enemies. This policy opens it up to anybody who wants to give an Invocation.

A MOTION by Commissioner Patton to approve the Resolution Adopting Updated Invocation Policy.

VOTE: **4 – 1 AYES: Patton, Mitchem, Beam, Oakes**
NOES: Martin

RESOLUTION ADOPTING UPDATED INVOCATION POLICY

WHEREAS, on May 5, 2014, the United States Supreme Court decided the case of Town of Greece, New York v. Galloway et al; and

WHEREAS, said case clarified the permissibility of public invocations in legislative sessions similar to sessions of the Board of Commissioners; and

WHEREAS, the Board of Commissioners desires to clarify, amend and update its policy of public invocations to comport with the law as determined to be applicable within the United States, North Carolina and Lincoln County;

NOW, THEREFORE, BE IT RESOLVED that the Lincoln County Board of Commissioners hereby adopts the attached Updated Invocation Policy.

BE IT FURTHER RESOLVED that the Clerk to the Board is hereby authorized to carry out the duties outlined in the said Updated Invocation Policy with regard to publication of a notice inviting invocation speakers, compiling a list of interested invocation speakers, and scheduling invocation speakers in a manner consistent with the said Policy.

This the 18th day of May, 2015.

Carrol Mitchem, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy Atkins
Clerk to the Lincoln County Board of Commissioners

**UPDATED
POLICY REGARDING OPENING INVOCATIONS
BEFORE MEETINGS OF THE LINCOLN COUNTY BOARD OF COMMISSIONERS**

1. In order to solemnize proceedings of the Lincoln County Board of Commissioners (the “Board”), it is the policy of the Board to allow for an invocation or prayer to be offered before its meetings for the benefit of the Board.

2. The invocation shall not be recognized as an agenda item for the meeting and the invocation is not considered a part of the public business.

3. No member or employee of the Board or any other person in attendance at the meeting shall be required to participate in any invocation that is offered.

4. The invocation shall be voluntarily delivered by a religious leader within the County or the leader or appointee of any assembly that periodically and regularly meets with the County for the purpose of worshiping or discussing their religious perspectives. Each congregation or assembly which chooses to participate in providing a prayer for the Board shall choose a representative to serve as the invocational speaker. To ensure that the invocational speakers are selected from among a wide pool of the County's religious leaders or leaders of organized assemblies, the invocational speakers shall be selected pursuant to the following procedure:

a. Upon the effective date of this policy, the Clerk to the Board (the "Clerk") shall publish a notice inviting all churches, religious congregations, and organized assemblies that periodically meet within the County for the purpose of worshiping or discussing their religious perspectives to identify a speaker to deliver the invocation before regularly scheduled meetings of the Board. The notice shall be published thereafter at least annually in all newspapers of general circulation in Lincoln County as well as on the Lincoln County website.

b. The notice will include the dates of all regular Board meetings during the year and direct potential invocational speakers to contact the Clerk by e-mail or U.S. mail and provide their name, preferred meeting date, and contact information.

c. Potential invocational speakers who respond to the notice will be placed on a list on a first come, first served basis and maintained on a list for future reference by the Clerk. The Clerk will complete the invocation schedule and notify the participants. Other potential invocational speakers can respond to the notice and be added to the list at any time.

d. The notice to be published by the Clerk shall read as follows:

An Invitation to Provide Invocations Before Meetings of the Lincoln County Board of Commissioners

The religious leaders or chosen leaders of any assembly that periodically and regularly meets in Lincoln County for the purpose of worshiping or discussing their religious perspectives are invited to offer an invocation before a meeting of the Lincoln County Board of Commissioners.

Those interested should contact the Clerk to the Board in writing by e-mail or U.S. Mail.

The Board generally meets on the first and third Monday nights of every month.

This opportunity is voluntary, and invocation speakers are free to offer the invocation according to the dictates of their own conscience. The Board requests only that the prayer opportunity not be exploited as an effort to convert others to the particular faith of the invocational speaker, threaten damnation, nor to disparage any faith or belief different than that of the invocational speaker.

*Amy Atkins
Lincoln County Government Center
115 West Main St.
Lincolnton, NC 28092
aatkins@lincolncounty.org*

5. No invocational speaker shall receive compensation from the County for his or her service.

6. No invocational speaker shall be scheduled to offer an invocation at consecutive meetings of the Board, or at more than four (4) Board meetings in any calendar year.

7. Neither the Board nor the Clerk shall engage in any prior inquiry, review of, or involvement in, the content of any invocation to be offered by an invocational speaker.

8. Persons saying a prayer should be sensitive to members of the audience who do not share their beliefs. Prayers should not be used to advance a particular faith or belief or to disparage a particular faith or belief. Prayers should be brief and in any event no longer than three minutes.

9. After the opening gavel that officially begins the meeting and before the agenda/business of the public, the Chair of the Board shall introduce the invocational speaker and the person selected to recite the Pledge of Allegiance following the invocation, and invite without coercion only those who wish to do so to stand for those observances of the Board.

10. The Board recognizes that Lincoln County is home to people of a variety of religious faiths and beliefs; therefore, this policy is not intended and shall not be implemented or construed in any way, to affiliate the Board with, nor express the Board's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the Board's respect for the diversity of religious denominations and faiths represented and practiced among the citizens of Lincoln County.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon adoption by the Board.

ADOPTED at the regular meeting of the Board of Commissioners of Lincoln County, North Carolina, on May 18, 2015.

Chairman Mitchem called for a five minute recess and then called the meeting back to order.

Budget Presentation: Kelly Atkins, County Manager, presented the 2015-16 Budget. This fiscal year begins July 1, 2015 and ends June 30, 2016. The Board of Commissioners began the budget process by establishing goals and objectives for the County to achieve in December 2014.

Budget in Brief

- An ad valorem property tax rate of \$.611 per \$100 of assessed valuation represents a tax revenue neutral tax rate, compared to \$.598 in FY 2015.
- The requested budget is \$89,923,717.00 and includes a recommended tax rate of .611 cents.
- The tax rate of \$0.611 per \$100 of valuation is the 4th lowest tax rate of adjoining counties and we have the 3rd lowest tax rate among similar counties in North Carolina.
- The economy will show steady improvement throughout the fiscal year somewhere in the 1.5 to 3% range. • Inflation will remain similar to recent years with a slight increase.
- Revenues were projected from a conservative, but realistic, outlook.
- A property tax collection rate of 97.98% with a projected 2.5% decrease from revaluation over FY 2015. The three local option sales taxes are projected to increase 1 – 2% over FY 2015.
- Assumes that adequate, available fund balances will be maintained in all operating funds.
- All Proprietary (Enterprise) Funds will be self-supporting without assistance from the General Fund.
- Fees & Miscellaneous Revenues will remain unchanged except for proposed increases to the Availability Fee, Fire Marshal Fee Schedule, and a 10% increase of the sewer base rate and volumetric rate.
- A recommended tax rate of \$0.0325 per \$100 of assessed value for the East Lincoln Water & Sewer District. This is a decrease from \$.0342 per \$100 of assessed valuation in FY15 as per projections previously called for.
- Pay Increase: Assumes a 2% COLA or Merit increases for employees. Assumes that new employees will continue to be eligible for probationary increases of 2.5% during the fiscal year.
- Assumes that there will be no increase in the County's or Employee's portions of medical insurance premiums for the PPO and the HSA Plan for FY 2016.
- Fuel will average \$2.75 per gallon on the open market. The County pays about \$.56 less than that due to its sales tax exemption.
- State support for the Board of Education, Department of Social Services, and the Public Health Department will vary little from the past. Budget Highlights:

There were a variety of issues impacting the proposed FY 2016 Budget for Lincoln County. These include:

- **Capital Requests:** There were numerous requests for CIP items in FY16 and some are being recommended while others are not. Facility, vehicle, building, and technology-related requests received the highest priority with even some of those needs being delayed if waiting was not seen as detrimental to the department or its service.
- **Personnel Requests:** There were a total of fifteen (15) requests for new positions across the County and eight (8) requests for Part-time positions to be converted to Full-Time. There was one (1) request to take two sub-departments and place them under one new department. There were four (4) requests to reclassify current positions to titles that more closely resembles what

job functions are currently being performed. There is one (1) request to convert a position from Full-Time to PartTime. **A total of nine (9.5) new positions are being recommended:**

- o Two (2) Detention Officer Positions for the Jail
- o One (1) Assistant Fire Marshal Position for the Fire Marshal's Office
- o Two (2) Income Maintenance Caseworker I for Social Services F&C Medicaid
- o One (1) Income Maintenance Program Manager for Social Services F&C Medicaid
- o One (2) Income maintenance Caseworker I for Social Services FNS
- o Two (2) Income Maintenance Technicians for Social Services AM
- o One (1) Part-time Administrative Secretary for Soil & Water •

A total of eight (8) Part-Time to Full-Time are being recommended:

- (1) Finance Assistant
- (1) Tax
- (3) EMS
- (3) TLC
- Building Maintenance, Grounds, and Park Grounds would be placed under a new department called Building and Grounds.
- A total of four (4) requests to reclassify positions is recommended.
 - (2) Information Technology
 - (1) Veterans Services
 - (1) Emergency Management
- A total of one (1) request to convert from Full-time to Part-time is recommended.
 - (1) Register of Deeds

• **Healthcare Costs and the Affordable Care Act:** Lincoln County will again offer two different health insurance plans for our employees 1) the PPO and 2) the HSA. Our dental plan will remain with Ameritas. While we did not experience an increase in health care cost for the proposed budget year; we do anticipate costs to rise in future years. • **Solid Waste Landfill Cell Closure & New Cell Opening:** The requirement of opening of new landfill cell, and the closure of a cell is estimated to cost approximately \$2.7 million and will be financed over the next several years. This amount will be funded through Certificate of Participation financing. It is recommended that an increase of \$5.00 be added to the \$81.00 Availability Fee to offset this impact.

• **Water and Sewer Capital:** (1) Upgrade lift station #15, (2) Expansion of Wastewater Treatment Plant, (3) Intake Pump Water Plant, (4) Upgrade & Expand Water Treatment Plant Ph. 1, (5) Upgrade 12-inch water line to 24-inch line along Highway 73.

• **Education Funding:** Staff again used the established funding formula agreed upon by the County and School Board. This resulted in a slight increase in local funding over the prior year. However, the Board of Commissioners decided to fund the schools approximately \$203,000.00 above the funding formula for unexpected utility increases for FY 2016. Local funding has remained constant and not decreased over the last several years, while unfortunately funding from the State continues to diminish. Moreover, the Board of Commissioners also elected to earmark the revenues received from the ABC tax to school technology; this amount will be

determined after the Law Enforcement Fund and Health Fund receive their required share of the revenues.

• **Future Challenges**: (1) “New” facility for Lincoln County Government, (2) School bond issuance possibility, (3) Health Care Cost, (4) Maintenance of existing buildings, (5) Landfill Cell, (6) Water Treatment Plant Expansion, (7) Sewer Treatment Plant Expansion, (8) Sewer Pump Station Upgrades

• **County Fire Districts**: All of the fire districts are recommending their respective tax rates to be tax revenue neutral with the exceptions of East Lincoln VFD, Union VFD, and North 321 VFD; their tax rates are proposed to remain the same as the current fiscal year. Also, North Brook VFD is proposing a tax increase over tax revenue neutral.

The following denotes the proposed tax rates for the respective fire departments:

	<u>Proposed FY 16</u>	<u>Current Tax Rate FY 15</u>
Alexis-	11.65	11.00
Boger City-	9.99	9.25
Crouse-	6.40	6.09
Denver-	11.25	10.99
East Lincoln-	8.50	8.50
Howards Creek-	12.03	11.50
North 321-	4.00	4.00
North Brook-	10.00	8.00
Pumpkin Center-	9.70	9.00
South Fork-	12.50	12.36
Union-	9.00	9.00

Mr. Atkins thanked the Board of Commissioners for their support and guidance in the preparation of the FY 2016 Proposed Budget. He also recognized the numerous hours of staff time that have gone into the preparation of this Budget. Every department manager and their staffs are to be commended for their support and efforts during the FY 2016 budget process. Copies of the proposed Budget and Capital Improvements Program will go on file in the County Clerk’s Office on May 20, 2015. The Public Hearing on the Budget is scheduled for June 1, 2015, and the adopting Ordinance will be on the Board of Commissioners Meeting Agenda for June 1, 2015. It will go into effect on July 1, 2015, subject to any changes that you might make in its adoption.

Chairman Mitchem said Kelly began here in December of this year and had worked in Lincoln County over twenty years prior to that. He commended Kelly for stepping up to the plate and bringing forth this budget. He thanked Mr. Atkins for his hard work on this.

Presentation Concerning the West Lincoln Library: Lindsay Fier gave a presentation concerning the need for a new West Lincoln Library. She presented the benefits of a new Library and asked the Board to be fair to the different ends of the county.

Chairman Mitchem said he has suggested having the West Lincoln Library at the West Lincoln Park.

Resolution #2015-19: A Resolution Regarding the Waiver of Out of County Library Card Fees for Gaston County Residents: Jennifer Sackett, Library Director, presented the following:

Following the dissolution of the Gaston-Lincoln Regional Library on June 30, 2012, our residents had free access to Lincoln County's collection of materials, but not Gaston's, and vice versa. As part of the dissolution agreement, both counties agreed to provide library cards to residents of the other county at no charge for up to three years.

This agreement is set to expire on June 30, 2015 unless it is extended. The Lincoln County Public Library Board of Trustees and Library Administration recommend that this agreement be extended indefinitely. Should either county decide to withdraw from the agreement, a 90 day notice must be sent in writing to county management and the Library Director of the other county which would nullify the agreement.

The only contingency for the implementation of the agreement is that Gaston County's library system or its Board of Commissioners adopt an identical policy waiving the fees for Lincoln County residents.

UPON MOTION by Commissioner Patton, the Board voted unanimously to adopt Resolution #2015-19: A Resolution Regarding the Waiver of Out of County Library Card Fees for Gaston County Residents.

RESOLUTION #2015-19: A RESOLUTION REGARDING THE WAIVER OF OUT-OF-COUNTY LIBRARY CARD FEES FOR GASTON COUNTY RESIDENTS

THAT WHEREAS, Lincoln County and Gaston County were partners in the Gaston-Lincoln Regional Library System from 1963-2012, but due to a change in NC administrative regulations governing regional libraries both counties determined it was in their best interests to dissolve the regional library and operate as two separate librarysystems; and

WHEREAS, the two counties agreed to a reciprocal waiver of out-of-county library cards fees for the residents of both counties as part of the original dissolution process; and

WHEREAS, the staffs of both counties have agreed to recommend an indefinite extension of this reciprocal waiver;

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County, North Carolina Board of Commissioners as follows:

Section I. That the fee for the issuance of a library card for out-of-county residents is hereby waived for all residents of Gaston County for the period beginning July 1, 2015, until that time at which this waiver is terminated as provided herein below.

Section 2. This waiver is conditioned only upon the Gaston County Library System or Board of Commissioner's adopting an identical policy for residents of Lincoln County, so that this waiver is reciprocal for the residents of both counties.

Section 3. Should either county ever decide to withdraw from the agreement, a 90 day notice must be sent in writing to county management and the Library Director of the other county which would nullify the agreement.

Section 3. The provisions of this resolution shall become effective immediately upon its adoption.

Adopted this 18th day of May, 2015.

By: _____

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

ATTEST: _____

Amy S. Atkins
Clerk to the Board

Contract with Martin Starnes and Associates to Audit Accounts: Deanna Rios presented the Contract with Martin Starnes and Associates and asked the Boards approval. Martin Starnes and Associates audited both the County and Airport Authority in the past, and this is the third year of the current three year contract. Funds are budgeted for this in the upcoming budget.

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

Cost Estimate Update for County Office Space: Don Chamblee gave an update and cost estimate update for County office space at Gamble Drive. The new build option would have a cost of about \$15.6 - \$19.3 million to demo and new build. Using part of the 1996 addition would save about \$1.5 million, which would bring it to \$14 - \$18 million. Renovation originally considered has about a \$9.4 - \$14 million range. This does include some work in the Citizens Center and also a jury assembly room in the Courthouse.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to instruct the County to go ahead with the design build option on the new facility

UPON MOTION by Commissioner Oakes, the Board voted 4- 1 (Patton against) to maintain the 30,000 square foot 1996 part of the old hospital on the table as a possible use, at least for the next 6 months of planning or until staff comes back with a recommendation on it.

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

County Manager's Report: Kelly Atkins reported that Denver Construction Company has nearly completed the shell building and final inspections will be this week.

County Commissioners' Report: Nothing reported.

County Attorney's Report: Nothing reported

Vacancies/Appointments: **UPON MOTION** by Commissioner Martin, the Board voted unanimously to appoint Andrew Robinson to the Lincoln County Planning Board to the At Large seat, replacing Brian Rabalais immediately and for a 3 year term, ending June 30, 2018; to reappoint Crystal Mitchem for a 2nd term ending June 30, 2018; Jamie Houser for a full term ending June 30, 2018.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to appoint Jerry Hoffman to the Lincolnton City Planning Board for the ETJ District.

UPON MOTION by Commissioner Beam, the Board voted unanimously to reappoint Tony Simpson to a term ending June 30, 2017 and Gizelle Busse to a term ending June 30, 2017.

UPON MOTION by Commissioner Beam, the Board voted unanimously to appoint Michael Jones to the Environmental Review Board to a term ending June 1, 2018.

A MOTION by Commissioner Beam to appoint Martin Oakes, replacing Jim Watson, whose term ends June 20, 2015 for a 3 year term ending July 30, 2018.

Commissioner Patton spoke against taking off a business member to put on a Commissioner when there is already one on it.

Mr. Atkins said Cliff Brumfeld has asked if Dr. Watson can remain on the EDA Board as an ex-officio member if Commissioner Oakes takes his regular seat.

VOTE: 2 – 3 AYES: Beam, Oakes
NOES: Patton, Mitchem, Martin

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

Amy S. Atkins, Clerk
Board of Commissioners

Carrol Mitchem, Chairman
Board of Commissioners