

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 1, 2015

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on June 1, 2015, at the Citizens Center, Commissioners' Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Carrol Mitchem, Chairman
Bill Beam, Vice Chairman
Martin Oakes
Cecelia Martin
Alex Patton

Planning Board Members Present:

Christine Poinsette, Chairman
Dr. Crystal Mitchem, Secretary
Jeffrey Todd Burgin
John Dancoff
Floyd Dean
Jamie Houser
Keith Johnson
Greg Smith
Andrew Robinson

Others Present:

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

Call to Order: Chairman Mitchem called the meeting to order.

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

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, June 1, 2015
6:30 PM

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

Call to Order

1. Adoption of Agenda
2. Consent Agenda
 - Lease Agreement for Helping Hands
 - Third Amendment to Sales Agreement
 - Community Development Block Grant (CDBG) Monthly Status Update
 - Home and Community Care Block Grant (HCCBG) FY 16 Funding Plan
 - Budget Ordinance Amendment #11
 - Tax Requests for Releases - 4/16/15 - 5/15/15
 - Sponsored Group Status - Toys for Tots
 - North Carolina Department of Commerce - Commerce Fellows Grant (Training)

3. Zoning Public Hearings - Randy Hawkins

ZMA #618 Betty Socie, applicant (Parcel ID# 33822) A request to rezone 0.7 acre from R-SF (Residential Single-Family) to B-N (Neighborhood Business). The property is located at 4360 N. NC 16 Hwy., on the east side of N.C. 16 Business about 250 feet south of Balsom Ridge Road, in Catawba Springs Township.

PD #2015-1 Campground 64, LLC, applicant (Parcel ID# 60047, 60237 and 29676) A request to rezone 64 acres from R-SF (Residential Single-Family) to PD-R (Planned Development-Residential) to permit a subdivision with up to 150 single-family detached homes. The property is located on the west side of Campground Road about 2,000 feet north of N.C. 16 Business in Catawba Springs Township.

CUP #344 ATOOD, LLC (Parcel ID# 31055, 83109, 84267 and 89986) A request for a conditional use permit to establish a solar farm in the R-T (Transitional Residential) and R-R (Rural Residential) districts. The proposed 129-acre site is located on the west side of Mariposa Road about 1.5 miles south of Old Plank Road in Catawba Sprints Township.

4. Public Hearing - Fiscal Year 2016 Budget and CIP
5. Motion to Adopt Ordinance Adopting the Lincoln County Budget for Fiscal Year 2015-2016
6. Public Hearing Concerning Resolution of Intent Concerning Home Health
7. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
8. Library Board Bylaw Amendments – Commissioner Oakes
- 8a. School Board Resolutions – Commissioner Oakes
9. Other Business

- 9a. Closed Session pursuant to NCGS § 143-318.11.(a) (5) – to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee (OR) to hear or investigate a complaint, charge or grievance by or against a public officer or employee

Adjourn

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

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

- Lease Agreement for Helping Hands
- Third Amendment to Sales Agreement
- Community Development Block Grant (CDBG) Monthly Status Update
- Home and Community Care Block Grant (HCCBG) FY 16 Funding Plan
- Budget Ordinance Amendment #11
- Tax Requests for Releases - 4/16/15 - 5/15/15
- Sponsored Group Status - Toys for Tots
- North Carolina Department of Commerce - Commerce Fellows Grant (Training)

*All items listed in the consent agenda are hereby incorporated by reference and are on file in the Clerk's office.

New Business/Advertised Public Hearings: Randy Hawkins presented the following:

ZMA #618 – Betty Socie, applicant:

The applicant is requesting the rezoning of a 0.7-acre lot from R-SF (Residential Single-Family) to B-N (Neighborhood Business).

The property is located at 4360 N. NC 16 Hwy., on the east side of N.C. 16 Business about 250 feet south of Balsom Ridge Road. It is adjoined by property zoned R-SF and B-N. Land uses in this area include business, residential and industrial. The Lincoln County Land Use Plan designates this area as industrial.

Adjoining Zoning and Uses

East: zoned R-SF, undeveloped property.

South: zoned R-SF, undeveloped property.

West (opposite side of N.C. 16 Business): zoned B-N, businesses and historic house.

North: zoned B-N, undeveloped lot.

Chairman Mitchem opened the public hearing concerning ZMA #618 – Betty Socie, applicant.

Being no speakers, Chairman Mitchem declared the public hearing closed.

PD #2015-1 Campground 64, LLC, applicant: Randy Hawkins presented the following:

The applicant is requesting the rezoning of 64 acres from R-SF (Residential Single-Family) to PD-R (Planned Development Mixed Use) to permit up to 150 single-family detached homes. Under the Lincoln County Unified Development Ordinance, any proposed subdivision with 50 or more lots is subject to approval through the planned development process. The applicant is also proposing lots smaller in size than the minimum area permitted in the R-SF district.

A site plan and guidelines for the proposed development have been submitted as part of the rezoning application and would serve as the master plan for the development if the rezoning request is approved. A traffic impact analysis has also been submitted.

The property is located on the west side of Campground Road about 2,000 feet north of N.C. 16 Business. It is adjoined by property zoned R-SF, R-T (Transitional Residential) and I-G (General Industrial) Land uses in this area include residential, religious and industrial. This property is located in a WS-IV Protected Area watershed district. None of the property is located in a floodplain.

This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential, suitable for densities of upwards of 1-2 homes per acre depending on the provision of utilities. The proposed development would be served by county water and sewer. The proposed density is 2.4 homes per acre.

Under the watershed regulations, the maximum density for subdivisions in a WS-IV Protected Area is two homes per acre if streets include curb and gutter, or three homes per acre without curb and gutter, as is proposed in this case.

The UDO requires that a planned development include a minimum of 12.5% recreation and open space. The master plan for the proposed Rock Creek development calls for a minimum of 30% recreation and open space.

Subdivisions with more than 50 lots are required to have at least two access points.

This proposal calls for one access point on Campground Road and a second on Catawba Burris Road. The plan also complies with the UDO's subdivision standards for internal connectivity, block length and cul-de-sac length.

As a condition of a rezoning, Section 9.8.7 of the UDO requires an applicant to provide road improvements to maintain the service level of an intersection if it is impacted by a proposed development. The traffic impact analysis for the Rock Creek development shows it would impact the intersection of N.C. 16 Business and Campground Road. Based on the analysis, the applicant has proposed improvements to offset the impact.

Under Section 9.8.7, the Board of Commissioners may approve a rezoning absent a condition of specified road improvements if an applicant demonstrates that the necessary right-of-way cannot be acquired through reasonable efforts.

Commissioner Beam asked how many homes would be allowed as the property is currently zoned. Mr. Hawkins said the number of homes per acres would be about 2 homes per acre, however because we require any subdivision with 50 lots or more, the most they could do under current zoning is 49.

Floyd Dean, Planning Board member, asked about the situation with the Right of Way on Campground Road, what will happen in they cannot get the Right of Way. Mr. Hawkins said there are some constraints at the intersection with Stacy's Restaurant and the bank being so close, there is not a 60' dedicated right of way there so DOT just has its maintenance limits. There is also a problem with right of way on 16 Business for the turn lane proposed there.

Mr. Dean asked about the easement coming in from Burriss Road. Mr. Hawkins said this is a 50' easement, he understands there have been discussions with Campground Trustees about turning that into a dedicated right of way so NCDOT could take it over later. Mr. Dean asked about the sight triangle.

Mr. Dean asked what will happen if they do not get the dedicated right of way. Mr. Hawkins said if they didn't get a dedicated right of way, they have a 50' easement that they can use for utilities and as a right of way, NCDOT just couldn't take over that section of the road so it would not be state maintained. It could be used for ingress and egress to the subdivision.

Todd Burgin, Planning Board member, asked what the impact would be to the school system. Mr. Hawkins said this would add some children to Rock Springs, which is currently at capacity, however the Unified Development Ordinance requires them to not only look at the capacity of the school district but the adjoining school district and there is capacity there. This would comply with the Unified Development Ordinance.

Commissioner Patton asked Mr. Hawkins to explain what will happen if they cannot get the right of way at Campground Road.

Mr. Hawkins said the Ordinance allows the Board of Commissioners to approve a subdivision if right of way cannot be obtained. The applicant is proposing, in that case, to escrow \$288,000, the Engineer's cost of those improvements identified by the traffic study. This would be escrowed with the county and held until NCDOT can figure out a way to approve traffic in that area.

Mr. Hawkins said one of the things that has been proposed is to add a signal phase to the signal at Campground Road and 16 so you would have left turns from Campground and right turns, free flowing and not have to wait for traffic on Forney Hill Road to clear.

Mr. Hawkins said NCDOT can acquire right of way through eminent domain, which is something the developer cannot do.

Commissioner Patton said it seems like the county went through this a few years ago and didn't have any luck because of Stacy's and the bank being so close.

Mr. Hawkins said there are also some utilities at that location and the developer will address this. Mr. Hawkins said there is also \$35,000 that the county is still holding from the Harbor Oakes Subdivision, which was approved and developed. This money is set aside for road improvements in this area also.

Commissioner Oakes said the number he heard at the community meeting was \$450,000 for traffic improvements. Mr. Hawkins said the \$450,000 includes the traffic improvements at the entrance on Campground Road to this subdivision.

Commissioner Oakes said he met with the developer, NCDOT and staff to talk about a one way street plan. He asked if anything had progressed on that and if it is still on the table. Mr. Hawkins said the applicant could address this.

Robert Davis, applicant, said he met on Friday with Ruben Chandler, who is the Chief Engineer of the division. He said they have looked previously about the idea of an oblong roundabout, which he did not like the idea at all. He thought comprehensive improvements to Business 16 as funds are available would be a better approach to this. He said some of the neighbors have suggested a signalized exchange on Bypass 16 and Forney Hill to help some of the ingress and egress.

Chairman Mitchem welcomed Andrew Robinson as a new Planning Board member and thanked him for serving.

Robert Davis, applicant, said this property will be developed in 2 phases, with anticipated total buildout approximately 3 years in phase 1 and 3 to 6 years for phase 2, depending on the economy conditions.

Steve Bailey, from ESP Engineering, presented an overview of Rock Creek Subdivision, with approximately 150 single family homes. The current plan is that about half of the homes will be age targeted style homes with fewer children. The main entrance to the subdivision will be on Campground Road with a secondary entrance on Catawba Burris Road. He said this is 64 total acres and they are requesting PD-R zoning. He said the plan meets all of the UDO requirements and East Lincoln Development District. Mr. Bailey presented the conceptual site plan with a 20' wide perimeter buffer around the entire subdivision to buffer from existing homes and 5' wide sidewalk along streets to walkability-lifestyle. There will also be natural walking trails, a picnic area and playground.

Mr. Bailey said they have estimated \$450,000 for road improvements, which include a left turn lane at the entrance and the required road improvements at Campground Road and Business 16.

Mr. Bailey said there is an estimated \$300,000 in upgrades to the existing County sewer infrastructure.

Mr. Bailed said the traffic study shows a new right turn lane as Campground Road approaches Business 16 and an extension of the existing turn lane on Hwy 16, headed south onto Campground. The study shows the traffic study shows that the current Hwy. 16/Campground intersection is at a level C. DOT grades them A, B, C, D, E, and F. By 2021, without this development or any improvements, this will fall to a level D. With the proposed improvements from the TIA, it will remain a level C in 2021.

Commissioner Oakes asked if the bank has been approached about the property since it is now vacant. Mr. Davis said the bank is represented by CBRE, that bank location along with 26 others are held by a hedge fund. They have no interest in selling a piece of the property.

Chairman Mitchem opened the public hearing concerning PD #2015-1 – Campground 64, LLC, applicant.

Patricia Austin, 6513 Cedar Street, said her property is behind Denver United Methodist Church and will back up to this development. She said a 20' buffer is not very far and spoke about traffic and school issues.

Lee Killian, 4153 Hwy 16 N, said you cannot stop progress and this is progress. He shared concerns about children wandering around the Campground when campmeeting is not going on. He said he has heard there may be a fence, which may help those concerns.

Tony Gilbert, 2262 Lynbrook Circle, said he has no problem with the development, but the traffic is going to be bad. He said he does not see any way to solve the traffic problem and adding 150 homes will add more traffic.

Don Barkley, 3101 Whitson Rd, Gastonia, said he has been going to Campmeeting since he was a year old. He asked the developer to come out to the Campground to find out what's going on. He said the Board will not make everyone happy. He said as far as the fence, if someone wants to do something they will find a way to do it.

Terry Brotherton said if the property is rezoned, his biggest concern is the security and well being of Rock Springs Campground. At the community meeting, he said he proposed a condition on the rezoning that a fence be constructed to help secure the Campground. He said his proposal was for 1600 feet, which basically is the line of what joins the Campground. He said he has had 2 very productive meetings with Senator Davis concerning this, which concluded with the plans for a 6' aluminum wrought iron appearing fence all the way to Campground Road. He asked for this to be added as a

condition of the rezoning. Mr. Brotherton said making Campground a one-way road is not an option.

Billie Nantz, 414 Timber Road, said she tents at Tent 200 and is against the subdivision. She said if it is rezoned a fence would probably help keep the kids out.

Milton Sigmon, 5044 Hwy 73, said he is not against the development of property, but we need to protect Rock Springs Campground. He asked for placement of a fence as a condition.

Renea Ballard, 3376 Ballard Farm Lane, said she is asking for the fence around the Campground.

Elizabeth Spencer, 4312 Candlewood Court, said her concerns are the schools and traffic. She said she does not want her children bussed to Pumpkin Center.

Butch Ross, 1170 Davis Road, said he is on the Board of Trustees for the Campground. He asked for the fence to be installed if the rezoning is approved. He said he does not see how 150 homes fit in with the area. He said the Campground has not agree to pay for a fence.

There was discussion concerning the fence and Commissioner Beam asked for something from both sides before a vote is taken.

Alan Howard, 8025 Webbs Road, spoke about the importance of protecting the Campground.

Karen Fresco, 6735 Campground Road, asked for a fence next to her property as well since she is a resident that lives there 365 days per year. She said Mr. Davis told her he would place a fence there as well. She spoke about the traffic and lighting in the development, how it would affect her property.

Pinkie Taylor said she lives across the road from where the housing development will be. She said people already come and turn around in her yard when traffic is backed up. She said something will have to be done for the traffic.

Ed Sink, 4876 River Hills Drive, shared concerns about infrastructure with the schools and traffic. He said this traffic will impact the entire Denver area, which is congested already. He said for people to understand the impact of this development, they should come to the area the first week of August.

Robert Davis said they have discussed the fencing and are interested in doing this. Being no additional speakers, Chairman Mitchem declared the public hearing closed.

CUP #344 ATOOD, LLC, applicant:

The applicant is requesting a conditional use permit to establish a solar farm in the R-T (Transitional Residential) and R-R (Rural Residential) districts. Under the Unified Development Ordinance, a solar farm is a conditional use in the R-T and R-R districts.

SITE AREA AND DESCRIPTION

The proposed 129-acre site is located on the west side of Mariposa Road about 1.5 miles south of Old Plank Road in Catawba Springs Township. The site is adjoined by property zoned R-T and R-R. Land uses in this area are primarily residential and agricultural. The site is located in an area designated by the Lincoln County Land Use Plan as Suburban Residential.

SOLAR FARM STANDARDS

The UDO establishes the following standards for a solar farm:

§4.3.7. Solar Farm

A. All structures and security fencing shall be set back a minimum of 50 feet from property lines and road right-of-ways.

B. Where a site abuts a public road or property with a residential use, the following screening shall be provided unless a modification is approved by the Board of Commissioners: two parallel rows of evergreen trees or shrubs, a minimum of five feet in height at planting, arranged in a staggered manner a maximum of 10 feet apart in each row, with the rows a maximum of 10 feet apart.

C. No panel structures shall be greater than 20 feet in height.

D. The electrical collection system shall be placed underground except near points of interconnection with the electric grid.

E. A map analysis showing a radius of five nautical miles from the center of the project with any airport operations in the area highlighted shall be submitted with the conditional use permit application. If a Federal Aviation Administration (FAA) regulated airport is located within the radius, all required information shall be submitted to the FAA for review. Proof of delivery of notification and date of delivery shall be submitted with the permit application.

F. A decommissioning plan signed by the party responsible for decommissioning and the landowner shall be submitted with the permit application and shall be recorded with the Register of Deeds prior to final electrical inspection. The plan shall include the following information: defined conditions upon which decommissioning will be initiated, the anticipated manner in which the solar farm project will be decommissioned and the site restored, a timetable for completion of decommissioning, description of any agreement with the landowner regarding decommissioning, the party responsible for decommissioning, and plans for updating the decommissioning plan.

G. A solar farm that ceases to produce energy on a continuous basis for 12 months shall be considered abandoned and the property owner and other responsible party shall be required to decommission the facility and restore the site to its prior condition within 12 months from the time that the facility is deemed to be abandoned, unless substantial evidence is presented to the Director of the intent to maintain and

reinstate the operation of the facility.

H. In the event the property owner and/or responsible party fail to timely decommission the solar farm facility as required above, Lincoln County and the Director shall be entitled to take all measures allowed by this UDO and the North Carolina General Statutes, including, but not limited to, the right to levy penalties as provided in §11.2.1, the right to obtain a permanent injunction ordering the removal of such solar farm facility, and the right to obtain

Commissioner Oakes disclosed ex parte discussions with the Real Estate Appraiser, asking for additional information.

Keith Johnson asked about the decommissioning plan.

Chairman Mitchem opened the public hearing concerning CUP #344 – ATOOD, LLC, applicant.

William Siler, with ATOOD, said their team has developed seven solar projects over the last few years, primarily in Cleveland County. Those projects total around \$80 million investment. The site on Mariposa Road is about 130 acres and is rural in nature. The slope is away from Mariposa Road so the visual impact is minimal. There is a Duke Power substation across the street that they plan to tie into. The entire floodplain will be undisturbed. The entire site will be fenced with security fence. In all, the project will total just shy of 20 megawatts of power production, which is a large solar project.

Mr. Siler said the current use is farm and a large portion of the site is already cleared for the solar panels. It will generate an additional \$80,000 per year in tax revenue for the county. There will be very minimal traffic impacts or noise.

Mr. Siler asked to make one addendum to their submittal with the decommissioning plan. He said they increased the bond for the letter of credit to \$125,000.

Mr. Atkins said he thinks what the applicant is saying is that it would be a minimum of \$125,000 and shall post a security in the amount of 1.25 times the decommissioning cost.

Keith Johnson asked about the applicant's experience with decommissioning. Mr. Siler responded that the solar panels and equipment come with protected lifespan and protected value. He said they did the decommissioning cost based on that and were conservative in their estimates.

Mr. Johnson asked what has happened to the cost of solar panels in the last five years. Mr. Siler said they have decreased substantially. Mr. Siler said the decommissioning plan has to be updated every 10 years per the ordinance and the decommissioning cost will be based on an estimate at that time.

Brian Adams said he is here to answer any questions. He said their decommissioning plan is based on a fifteen year time horizon. The financing groups will only let them go

out for the standard contract length. Mr. Adams spoke concerning other projects their group has done. He said they will be as accommodating as possible.

Graham Adams said they may go back and do research on decommissioning, since he doubts any have yet been decommissioned due to the fact that most have a 25 year life. He said that other businesses unattended would look much worse than a solar farm that would be left unattended. He said there will be a Class A, the most extensive buffer, all around the property. He said it will be essentially not visible and if it was left alone, the North Carolina landscape would overtake it and they will make a great neighbor to surrounding property owners. He said there is a large substation there and it will require very little overhead wire to come down and serve this solar field.

Gwen Felton said she owns 3 properties adjoining this site. She said she has read the advantages and disadvantages, mainly the health reasons. She said this will take away their beautiful neighborhood.

Mike Philbeck said he served as a Councilman and Mayor for Shelby for Rich Kirkland 12 years and thanked the Commissioners and Planning Board for what they do. He said he sure wished there was a decommissioning plan for old big box stores. He said he worked with this group and they are the kind of people you would like investing in your county.

Kay Brown, 2456 Mariposa Road, said the developer could have probably looked harder and found open fields. She said there is already a dirt track and they really don't need anything else.

Virgie Crisp, 2934 Squirrel Hollow Road, said she has lived on her property for 34 years. She said she has looked on the internet and found a lot of health issues surrounding solar farms.

Marcella Hicks said this will be close to her. She asked if anyone has checked to see how safe these sites are.

Rich Kirkland said he sent Mr. Oakes an email today with the information he had requested. He said he was hired to see if this solar farm would have an impact on surrounding property. He compared this to a solar farm in Goldsboro, which was built next to a subdivision. Mr. Kirkland said all the apparent sales data he has found shows that there is no impact on adjoining property values for residential and agricultural uses. He gave his professional opinion that the proposed solar farm will have no impact on adjoining property values and that this is a harmonious use.

Lis Murray, 2275 Mariposa Road, said they bought their home in August, 2013 because of the rural property. She said it is important to maintain that rural feel. She said she is not opposed to the solar farm, but is opposed to making it look like an industrial area.

Chairman Mitchem asked how many homes could be placed on this property. Mr. Hawkins said at least 100 homes could be put there.

Darlene Sweigart, 2387 Mariposa Road, said for the last 17 years when she looked out her kitchen window, she saw meadows and fields. She said she knew something would eventually come there, but did not think it would be a solar farm. She asked where the entrance will be to the solar farm.

Daniel Brewster, 4907 Squirrel Hollow Road, said this will affect their property values.

Being no additional speakers, Chairman Mitchem closed the public hearing.

The Planning Board reconvened to the second floor balcony to deliberate the cases.

Public Hearing – Fiscal Year 2016 Budget and CIP: Chairman Mitchem opened the public hearing for the Fiscal Year 2016 Budget and CIP.

Being no speakers, Chairman Mitchem closed the public hearing.

A MOTION by Commissioner Patton to approve Lincoln County Budget Ordinance for Fiscal year 2015-2016.

Chairman Mitchem said the tax rate will move from .598 to .611. He said North Brooks' Fire District's tax rate also increased.

Chairman Mitchem said he will not be voting for this budget due to the fact that the tax rate is increasing.

Commissioner Martin said she will be voting against due to the fact that the tax rate and fees have increased in this budget.

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

**LINCOLN COUNTY
BUDGET ORDINANCE
FY 2015-16**

BE IT ORDAINED by the Board of County Commissioners of Lincoln County, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the County government and its activities for the fiscal year beginning July 1,

2015 and ending June 30, 2016, in accordance with the chart of accounts heretofore established for Lincoln County.

GENERAL GOVERNMENT

| | |
|------------------------|-----------|
| | \$ |
| Central Services | 794,000 |
| Governing Body | 214,180 |
| County Manager | 218,316 |
| Human Resources | 253,572 |
| Finance | 615,603 |
| Information Technology | 707,461 |
| Safety & Training | 30,978 |
| Tax Department | 2,134,446 |
| Legal | 160,064 |
| Elections | 827,454 |
| Register of Deeds | 965,417 |
| Buildings and Grounds | 2,402,330 |
| Outside Agency | 113,039 |

PUBLIC SAFETY

| | |
|---------------------------|-----------|
| Sheriff | 9,208,965 |
| Communications | 1,311,446 |
| Jail | 3,354,827 |
| Jail Commissary | 30,000 |
| Emergency Management | 222,394 |
| Fire Marshal | 348,990 |
| Volunteer Fire Department | 215,200 |
| Medical Examiner | 33,700 |

| | |
|-------------------|-----------|
| Emergency Medical | 6,826,785 |
| Animal Services | 793,580 |
| District Court | 36,737 |
| Forestry | 102,041 |
| Rescue Squads | 55,650 |

TRANSPORTATION

| | |
|--------------------|-----------|
| Airport Authority | 60,000 |
| Transportation TLC | 1,518,132 |
| Gaston Skills | 65,471 |

ECONOMIC AND PHYSICAL DEVELOPMENT

| | |
|--------------------------|-----------|
| Planning and Inspections | 1,500,670 |
| Soil Conservation | 283,576 |
| Economic Development | 1,050,655 |
| Cooperative Extension | 299,120 |
| Outside Agency | 42,500 |

HUMAN SERVICES

| | |
|---------------------------|------------|
| Health Department | 5,086,238 |
| Mental Health | 384,589 |
| Social Services | 12,680,346 |
| Veterans Services | 129,545 |
| Senior Services | 517,996 |
| Juvenile Crime Prevention | 174,328 |
| Gaston Family Health | 30,000 |

**CULTURAL AND
RECREATION**

| | |
|---------------------|-----------|
| Library | 1,273,541 |
| Recreation | 989,329 |
| Historic Properties | 2,480 |
| Outside Agency | 140,984 |

EDUCATION

| | |
|-------------------------------|------------|
| Lincoln Center Gaston College | 200,000 |
| Schools Current Expense | 16,527,742 |
| Schools Capital Outlay | 2,210,955 |

DEBT SERVICES

| | |
|----------------|------------|
| General County | 1,179,489 |
| School System | 11,146,826 |

**TRANSFER TO CAPITAL PROJECT
FUND**

141,698

**TRANSFER TO CAPITAL RESERVE
FUND**

-

CONTINGENCY

-

TOTAL GENERAL FUND

\$89,613,385

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2013 and ending June 30, 2014:

**AD VALOREM
TAXES**

| | |
|-------------------------------------|----------------------------|
| | \$ |
| Current Year's Property Taxes | 49,816,817 |
| Prior Year's Property Taxes | 1,030,000 |
| Medicaid Hold Harmless | 300,000 |
| Local Option 1 cent Sales Tax | 5,974,000 |
| Local Option 1st 1/2 cent Sales Tax | 4,500,000 |
| Local Option 2nd 1/2 cent Sales Tax | 3,375,000 |
| Utilities Franchise Tax | 230,000 |
| | <u>\$65,225,817</u> |

**FEDERAL
REVENUES**

10,353,503

STATE REVENUES

2,494,931

**INTERGOVERNMENTAL
REVENUES**

1,147,700

**SALES AND
SERVICES**

7,505,421

INVESTMENT EARNINGS

75,000

MISCELLANEOUS

1,588,162

**OTHER FINANCING
SOURCES**

1,222,851

FUND BALANCE APPROPRIATED

-

TOTAL REVENUES

**\$
89,613,385**

Thirty percent (30%) of the proceeds of the first local half-cent sales and use tax (article 40)
and sixty percent (60%) of the proceeds of the second local half-cent sales and use tax

(article 42) are hereby declared to be included in the appropriation for school capital projects and/or debt service. Any receipts in excess of capital projects and debt service shall be accumulated in the Capital Reserve Fund for Schools until such time as the funds are appropriated for specific projects or debt service.

The remaining proceeds from the two half cent sales and use taxes are hereby appropriated for other general county needs which may include, but not be limited to, debt service, capital projects, capital outlay and operating expenses.

Section 3. The following amounts are hereby appropriated as continuing multi-year projects in the School Capital Projects Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|-------------------------|
| Improvements | 1,500,200 |
| Total School Capital Projects Improvement | |
| | \$ |
| Project Fund Expenditures | <u>1,500,200</u> |

It is estimated that the following revenues will be available in the School Capital Projects Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|----------------------------|
| Interest on Investments | 200 |
| Fund Balance Appropriated | 1,500,000 |
| Total School Capital Projects Improvement | |
| Project Fund Revenues | <u>\$ 1,500,200</u> |

Section 4. The following amounts are hereby appropriated or reserved in the School Capital Reserve Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|----------------------------|
| Transfer to General Fund (Debt Service) | 1,222,851 |
| Total School Capital Reserve Fund | |
| Appropriations/Reserve | <u>\$ 1,222,851</u> |

It is estimated that the following revenues will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

| | |
|------------------------|-------|
| Interest on Investment | 1,000 |
|------------------------|-------|

| | |
|---|-----------------------------------|
| Lottery Proceeds | 700,000 |
| Fund Balance Appropriated | 521,851 |
| Total School Capital Reserve Fund Revenues | <u><u>\$ 1,222,851</u></u> |

Section 5. The following amounts are hereby appropriated in the Law Enforcement Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|-------------------|--------------------------------|
| Operating Expense | 20,025 |
| Total | <u><u>\$ 20,025</u></u> |

It is estimated that the following revenues will be available in the Law Enforcement Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---------------------------------|--------------------------------|
| Controlled Substance Excise Tax | 20,000 |
| Interest on Investment | 25 |
| Fund Balance Appropriated | - |
| Total | <u><u>\$ 20,025</u></u> |

Section 6. The following amounts are hereby appropriated in the Federal Law Enforcement Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|-------------------|--------------------------------|
| Operating Expense | 15,040 |
| Total | <u><u>\$ 15,040</u></u> |

It is estimated that the following revenues will be available in the Federal Law Enforcement Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|----------------------------|--------|
| Controlled Substance Tax | 15,000 |
| Investment Earnings | 40 |
| Federal Forfeited Property | - |

| | |
|--------------|------------------|
| Total | \$ 15,040 |
|--------------|------------------|

Section 7. The following amounts are hereby appropriated in the Emergency Telephone Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---------------------------------------|-------------------|
| Operating Expenses | 284,443 |
| Capital Outlay | - |
| Total Emergency Telephone Fund | \$ 284,443 |

It is estimated that the following revenues will be available in the Emergency Telephone Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---------------------------------------|-------------------|
| Phone Service Charges | 284,443 |
| Interest on Investments | - |
| Total Emergency Telephone Fund | \$ 284,443 |

Section 8. The following amounts are hereby appropriated in the Solid Waste Enterprise Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|---------------------|
| Operating Expenses | 3,255,099 |
| Capital Construction | 517,393 |
| Debt Service | 127,908 |
| Total Solid Waste Enterprise Fund Appropriation | \$ 3,900,400 |

It is estimated that the following revenues will be available in the Solid Waste Enterprise Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---------------------------|-----------|
| STATE SHARED TAXES | 147,700 |
| SALES AND SERVICES | 3,714,700 |
| INTEREST REVENUE | 8,000 |

| | |
|---|---------------------|
| MISCELLANEOUS REVENUES | 30,000 |
| FUND BALANCE APPROPRIATED | - |
| Total Solid Waste Enterprise Fund Revenues | \$ 3,900,400 |

Section 9. The following amounts are hereby appropriated in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|---------------------|
| Operating Expenses | 5,269,519 |
| Debt Service | 1,772,215 |
| Capital Outlay | 60,000 |
| Transfer to Water/Sewer Capital Projects | 2,450,966 |
| Total Water and Sewer Enterprise Fund Appropriation | \$ 9,552,700 |

It is estimated that the following revenues will be available in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---|---------------------|
| SALES AND SERVICES | 9,545,700 |
| INTEREST REVENUE | 2,500 |
| MISCELLANEOUS REVENUE | 4,500 |
| FUND BALANCE APPROPRIATED | - |
| Total Water and Sewer Enterprise Fund Revenues | \$ 9,552,700 |

Section 10. The following amounts are hereby appropriated as continuing multi-year projects in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---|-------------------|
| Airport | 30,000 |
| Facility Improvement | 111,698 |
| Total General County Capital Improvement Project | |
| Fund Appropriations | \$ 141,698 |

It is estimated that the following revenues will be available in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---|-------------------|
| Transfer from General Fund | 141,698 |
| Grants | - |
| Debt Proceeds | - |
| Sale of Fixed Assets | - |
| Interest on Investments | - |
| Other Revenues | - |
| Total General County Capital Improvement Project | |
| Fund Revenues | \$ 141,698 |

Section

11. The following amounts are hereby appropriated as continuing multi-year projects in the Water and Sewer Capital Improvement Projects Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|---------------------|
| Water System Improvements | 1,090,000 |
| Sewer System Improvements | 5,051,140 |
| Total Water and Sewer Capital Improvement Project | |
| Fund Appropriations | \$ 6,141,140 |

It is estimated that the following revenues will be available in the Water and Sewer Capital Improvement Projects Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|----------------------------|
| Transfer from Water Fund | 2,450,966 |
| Proceeds of Financing | 3,690,174 |
| Total Water and Sewer Capital Improvement Project Fund Revenues | <u>\$ 6,141,140</u> |

Section

12. The following amounts are hereby appropriated in the Health Insurance Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---|----------------------------|
| Health and Consultant Fees | 860,000 |
| Health Insurance Claims | 5,500,000 |
| Flex Account Expenses | 157,000 |
| Reserve | 734,795 |
| Total Health Insurance Fund Appropriations | <u>\$ 7,251,795</u> |

It is estimated that the following revenues will be available in the Health Insurance Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|---|----------------------------|
| Health Premiums Employer | 5,966,000 |
| Health Premiums Employee | 1,127,795 |
| Flex Account | 150,000 |
| Investment Income | 8,000 |
| Total Health Insurance Fund Revenues | <u>\$ 7,251,795</u> |

Section

13. The following amounts are hereby appropriated in the Workers' Compensation Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|----------------------|--------|
| Administrative Fees | 80,000 |
| Insurance Consultant | 4,000 |

| | |
|--|-----------------------|
| Workers' Compensation Claims | 325,000 |
| Reserve | 115,975 |
| Total Workers' Compensation Fund Appropriations | \$ 524,975 |

It is estimated that the following revenues will be available in the Workers' Compensation Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

| | |
|--|-----------------------|
| Workers' Compensation Premiums | 524,475 |
| Interest Income | 500 |
| Total Workers' Compensation Fund Revenues | \$ 524,975 |

Section

14. There is hereby levied a unified tax at the rate of 61.1 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2015, for the purpose of raising the revenue listed as "Current Year's Property Taxes" in the General Fund in Section 2 of this Ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$7,725,445,810 and an estimated collection rate of 97.7 percent. The estimated rate of collection is based on the fiscal 2013-14 collection rate of 97.73 percent.

Section

15. There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2015; located within the eleven (11) special fire districts for raising of revenue for said special fire districts. Estimated totals of valuation of property for the eleven special fire districts for the purpose of taxation are as follows:

| Fire District | Assessed Value | Rate | 2015-16 Tax Revenue | 2015-16 Tax Appropriations |
|----------------------|-----------------------|-------------|----------------------------|-----------------------------------|
| Alexis | 296,795,069 | 0.1165 | 345,766 | 345,766 |
| Boger City | 638,981,654 | 0.0999 | 625,448 | 625,448 |
| Crouse | 165,973,610 | 0.0640 | 106,261 | 106,261 |

| | | | | |
|----------------|---------------|--------|-----------|-----------|
| Denver | 1,744,904,608 | 0.1125 | 1,949,750 | 1,949,750 |
| East Lincoln | 2,080,539,747 | 0.0850 | 1,735,300 | 1,735,300 |
| Howard's Creek | 233,549,615 | 0.1203 | 280,792 | 280,792 |
| North 321 | 698,189,760 | 0.0400 | 273,650 | 273,650 |
| North Brook | 326,077,180 | 0.1000 | 288,888 | 288,888 |
| Pumpkin Center | 467,361,864 | 0.0970 | 453,210 | 453,210 |
| South Fork | 260,751,790 | 0.1250 | 325,940 | 325,940 |
| Union | 251,851,352 | 0.0900 | 222,088 | 222,088 |

There is appropriated to the special fire districts from the proceeds of this tax the amounts shown under the appropriation column, for use by the special fire districts in such manner and for such expenditures as is permitted by law from the proceeds of this tax. In the event the actual net proceeds from the tax levies exceed or fall short of the appropriated amounts, the actual net proceeds from the tax shall constitute the appropriation from the tax levy.

Lincoln County will continue to serve as collection agent for the City of Lincolnton for the collection of property taxes, as long as this is mutually agreeable between Lincolnton and Lincoln County. Lincoln County shall receive a three percent (3%) collection fee (1-1/2% fee for motor vehicles) for this service, plus unusual expenses as agreed by both parties.

Section

16. On June 29, 2002, the Board of County Commissioners adopted "Ordinance for Availability and Use Fees for Solid Waste Disposal Facilities Lincoln County, North Carolina." As stated in the ordinance the fees for availability shall remain in effect until amended. The Solid Waste Availability Fee for fiscal year 2015 - 16 is \$86 per unit rate.

Section

17. On August 23, 1993, the Board of County Commissioners adopted "Resolution Concerning Use of Room Occupancy and Tourism Tax" which became effective October 1, 1993. This resolution levies a 3% room occupancy tax on the rental of a room, lodging, or accommodation furnished by a hotel, motel, tourist camp, or similar place within the County. The purpose of this tax is to provide a source of revenue to promote travel and tourism within Lincoln County. Included in this budget is estimated revenue of \$70,000 to be derived from this tax. Also included in this budget are allowable expenditures which may be funded from this revenue source: Chamber of Commerce \$17,500, to advertise, print and distribute information on Lincoln County; Downtown Development Association \$7,500; Historical

Properties \$2,480; Historical Association \$33,000; Cultural Development Center \$30,216; for a total of \$90,696.

Section

18. This Budget Ordinance, effective July 1, 2015 authorizes the mileage reimbursement rate as the standard mileage rate set by the Internal Revenue Service, which may be revised during the fiscal year. Per Diem without receipts remains the same at \$6.00 for breakfast; \$11.00 for lunch; and \$18.00 for dinner.

Section

19. The funds that are used in this Budget Ordinance to fund certain elements in the Solid Waste and Public Works operations are non-property tax funds.

Section

20. The County Manager, or designee, is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. He may transfer amounts among objects of expenditure within a department.
- b. He may transfer amounts up to \$50,000 between departments of the same fund.
- c. He may not transfer any amounts between funds nor from the contingency or from any capital reserve appropriations.

Section

21. The County Manager, or designee, is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction, repair projects or design services requiring the estimated expenditure of less than \$50,000.
- b. He may execute contracts for: (1) purchases of apparatus, supplies and materials, or equipment which are within budgeted appropriations, (2) leases of personal property for a duration of one year or less and within budgeted appropriations, and (3) services which are within budgeted appropriations.
- c. He may execute grant agreements to or from public and non-profit organizations, which are within budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
- d. He may execute contracts, as the lessor or lessee of real property, which are of one-year duration or less, if funds therefore are within budgeted appropriations.

Section

22. It is the intent of the Board of Commissioners that all departments and divisions, including those under the control of the Sheriff, are limited to the specific number of each position classification agreed upon in the budgeting process, and that no changes in those numbers can be made without the express approval of the Board of Commissioners after a

recommendation from the County Manager. The list of the specific numbers of each position classification for the Sheriff's Office is approved hereby as set out below:

| <u>Position Title</u> | <u>Number of Full Time Positions</u> |
|------------------------------|---|
| Sheriff | 1 |
| Major | 1 |
| Captain | 2 |
| 1st Sergeant | 6 |
| Sergeant | 13 |
| Court Security Officer | 6 |
| Sr. Deputy Sheriff | 10 |
| Deputy Sheriff | 44 |
| Investigator | 19 |
| Lieutenant | 7 |
| Financial Manager | 1 |
| DCI Specialist | 5 |
| Records/Permit Specialist | 1 |
| Administrative Assistant | 2 |
| Systems Analyst Programmer | 1 |
| Logistics Specialist | 1 |
| TOTAL FOR SHERIFF | 120 |

| <u>Position Title</u> | <u>Number of Full Time Positions</u> |
|------------------------------|---|
| Admin. Det. Lieutenant | 1 |
| Asst. Det. Admin. | 1 |
| Administrative Secretary | 1 |
| Classification Officer | 1 |
| Corporal Detention | 4 |
| Deputy Sheriff - Transport | 1 |
| Detention Officer | 26 |
| Sergeant - Detention | 4 |
| Sr. Detention Officer | 5 |
| Pre-Trial Release | 0 |
| Total for DETENTION | 44 |

Section

23. The annual appropriations for all divisions of the Sheriff's Office shall be allocated by the Finance Department on a quarterly basis, with each quarterly allocation being equal to twenty-five (25%) percent of the annual appropriation in each line item. The County Manager is hereby authorized to exceed such a quarterly appropriation in the event an annual contract requires a pre-payment or earlier payment schedule than quarterly. The intent of this section is to authorize expenditures equal to no more than 25% of the annual appropriations during each quarter of the fiscal year.

Section

24. Copies of this Budget Ordinance shall be furnished to the County Manager, Clerk to the Board of Commissioners, Finance Director and the Tax Administrator for direction in carrying out their duties.

Adopted this 1st day of June, 2015.

Carrol E. Mitchem, Chair
Lincoln County
Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board

Public Hearing Concerning Resolution of Intent Concerning Home Health:

Chairman Mitchem opened the public hearing. Being no speakers, Chairman Mitchem declared the public hearing closed.

Public Comments: Chairman Mitchem advised that this was the time the Board of Commissioners would receive comments from the citizens regarding any matter they desired to address.

Abbie Jane Royster spoke concerning the need for a new West Lincoln Library and said she is circulating a petition for the need. She will bring the petition back before the Board.

Rudy Bauer said he doesn't think the Commissioners gave much thought to the Invocation. He said the Board should have a moment of silence instead of an Invocation, which would be better for everybody.

Robert Avery commended Mr. Atkins for the excellent job he has done on the budget.

Rebecca Powell said she looked at the agenda and was surprised and disappointed that there has been no discussion with the Library Board on these changes.

Being no additional speakers, Chairman Mitchem declared the Public Comments section closed.

Library Board Bylaw Amendments: Commissioner Oakes presented proposed Library Board Bylaws. The Board had a lengthy discussion on the Library Board Bylaw Amendments.

UPON MOTION by Commissioner Patton, the Board voted 3 – 2 (Beam and Oakes against) to table until the Library Board Amendments until the Commissioners, staff and Library Board can get together and agree on the Bylaw Amendments.

LIBRARY BOARD OF TRUSTEES BYLAWS

Article 1. Appointment and Terms of Service

- (1) The Lincoln County Public Library Board of Trustees shall consist of 7 members who are appointed for staggered terms of 3 years beginning July 1 in the year of appointment. In order to even out the vacancies in any year, some terms may be shortened.
- (2) Members shall be appointed by the Board of County Commissioners. One member shall be from each township. Two members shall be at-large, except that they may not be both from the same township.
- (3) No trustee may be appointed for more than six years consecutively, except that a member may be appointed to a different seat for an additional three years. In the event a replacement appointment cannot be found, the existing appointee may continue to serve until a new appointment is made.
- (4) Any vacancy on the Board of Trustees regardless of how created shall be filled by appointment by the Board of County Commissioners for the unexpired term of the vacant position.
- (5) A trustee missing more than 1/3 of the regularly-scheduled board meetings in a twelve month period is considered to have resigned and will be replaced by the

Board of County Commissioners.

- (6) As provided in N.C.G.S. 153A-265, the Board of County Commissioners may remove a trustee at any time for incapacity, unfitness, misconduct, or neglect of duty.
- (7) The County Library Director shall serve as an ex-officio, non-voting member of the Board of Trustees and shall attend all meetings.

Article 2. Duties of the Board of Trustees

Members of the Board of Trustees shall have the following powers and responsibilities delegated by the Board of County Commissioners per N.C.G.S. 153-266.

- (1) To advise the Board of County Commissioners on the formulation of programs, policies, and regulations for the Lincoln County Public Library.
- (2) To make recommendations to the Board of County Commissioners concerning the construction and improvement of facilities and other such needs for the library.
- (3) To recommend a schedule of fines and charges for the late return of, failure to return, damage to, and loss of library materials, and to take other measures to protect and regulate the use of such materials.
- (4) To participate in preparing the annual budget of the Library System.
- (5) To assist in the raising of funds from the community to help finance the operations and programs of the library system and to serve as advocates for the library.
- (6) To otherwise advise the Board of County Commissioners on library matters.
- (7) To make an annual report on the operations of the library to the Board of County Commissioners and the Department of Cultural Resources

Article 3. Duties of the Library Director

- (1) The Library Director shall be responsible for the administration of the library under the supervision and review of the County Manger.

Article 4. Meetings

- (1) All official meetings of the Library Board of Trustees should comply with the

North Carolina Open Meeting Law as defined in N.C.G.S. 143-318.

- (2) The Board of Trustees shall meet at least quarterly at a time and place to be determined by agreement of the board.
- (3) An annual meeting shall be held during the fourth quarter of each fiscal year.
- (4) Special meetings may be called by the chairman of the Board of Trustees, by written or email request of three trustees, by the Library Director, by the County Manager, or on motion of the Board of County Commissioners, for the transaction only of the business stated in the call for the meeting.
- (5) The secretary of the Board of Trustees shall give at least five days' notice to all trustees of all meetings, whether regular or special
- (6) The order of business at the regular meetings shall be as follows:

Call to Order -- Approval of minutes (either read or previously received) -- --
Report of Library Director -- Report of Committees (if standing) -- Old Business
-- New Business -- Discussion --Adjournment.

Article 5. Officers

Officers of the Board of Trustees shall be elected at the first meeting following June 30 and shall be as follows: Chairman, Vice-Chairman, and Secretary. In case of a vacancy, the Board shall, at the next regular meeting, elect a member to fill the unexpired term.

- (1) The Chairman of the Board shall preside at all meetings, appoint all committees, certify all actions approved by the Board, authorize calls for any special meetings and generally perform the duties of a presiding officer.
- (2) When the Chairman is absent from a Board meeting, the Vice-Chairman shall preside.
- (3) The Secretary of the Board shall keep a true and accurate account of all proceedings of the Board; shall issue notices of all regular meetings, and, on the authorization of the Chairman, of all special meetings; shall have custody of the minutes and other records of the Board; shall notify the Board of County Commissioners of any vacancies of the Board.

Article 6. Committees

Special committees for the study and investigation of special problems may be appointed by the Chairman, such committees serve until the completion of the work for which they were appointed.

Article 7. Quorum

A quorum for the transaction of stated business shall consist of a majority of Board members , excluding vacant seats.

Article 8. Amendments

These bylaws may be amended by the Board of County Commissioners, preferably upon recommendation from the Library Board of Trustees.

School Board Resolutions: Commissioner Oakes presented the following Resolutions for the Board's consideration:

County Resolution #2015-20 -- Budget Process for School Operating Expense

Resolved that the School Board Operating Expenses approved for FY2015-16 shall be itemized and allocated by Purpose, Function and Project, as those terms are defined in GS 115C-429(b). Transfers between such categories exceeding 15% shall be approved by the Board of Commissioners.

County Resolution #2015-21 -- Budget Process for School Capital Expense

Resolved that the School Board Capital Expenses approved for FY2015-16 shall be itemized by Category, as those terms are defined in GS115C-426(f), and shall be so allocated. Furthermore, specific items within categories defined in GS115C-126(f)(1) and (2) shall be identified. All capital expenditures exceeding \$25,000 shall be paid by the County Finance Officer as the expenditures are made – as opposed to sending the schools a large chunk of money at once.

Commissioner Patton expressed concerns that there was no representation from the Board of Education tonight to address these Resolutions. Commissioner Oakes said he brought this issue up at the joint meeting in January and he has spoken with two different School Board members at a different time about this.

UPON MOTION by Commissioner Oakes, the Board voted 4-1 (Patton against) to approve the Resolution as presented.

Other Business: Commissioner Patton said Dr. Watson is currently on his first term with the LEDA Board. He asked for Dr. Watson to be reappointed to the LEDA Board. Commissioner Oakes said he also has Kenneth Tucker, a local businessman, for the seat on the LEDA Board.

UPON MOTION by Chairman Mitchem, the Board voted unanimously that there be no appointments to any Boards until the first meeting in August. Chairman Mitchem asked for all applications to be presented to all Board members before the appointments are made.

Mr. Atkins said that David Flowers is in attendance at the meeting tonight and would like to make a formal presentation to the Board at the next meeting.

A MOTION by Commissioner Patton to not hear from Mr. Flowers, that he is welcome to bid at the appropriate time.

Chairman Mitchem said the Board voted on April 7 to move forward with building a new construction on the hospital property. He said Mr. Flowers has been heard in the past and is welcome to submit a bid at the appropriate time.

Closed Session: **UPON MOTION** by Commissioner Patton, the Board voted unanimously to enter Closed Session pursuant to NCGS § 143-318.11.(a) (5) – to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee (OR) to hear or investigate a complaint, charge or grievance by or against a public officer or employee.

Chairman Mitchem announced that no action was taken in Closed Session.

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

Amy S. Atkins, Clerk
Board of Commissioners

Carrol Mitchem, Chairman
Board of Commissioners