

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 2, 2015

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on November 2, 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 and called for a moment of silence. Chairman Mitchem 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, November 2, 2015
6:30 PM

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

Call to Order

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda

2. Consent Agenda

- Tax Requests for Releases over \$100 - September 16 - October 15, 2015
- Tax Request for Refunds over \$100 - September 21 - October 4, 2015
- Vehicle Tax Refunds over \$100 for August 2015
- CDBG (Community Development Block Grant) Status Updates
- Minutes for Approval
- Proclamation for National Family Caregivers Month - November 2015

3. Zoning Public Hearings - Randy Hawkins

ZMA #624 Jimmy Wise, applicant (Parcel ID# 92008) A request to rezone 1.0 acre from R-R (Rural Residential) to B-N (Neighborhood Business). The property is located on the west side of Macedonia Church Road at the intersection of Burgin Smith Road in North Brook Township.

CZ #2015-2 Landmark Self Storage, applicant (Parcel ID# 25094) A request to rezone 1.3 acres from R-S (Residential Suburban) to CZ B-G (Conditional Zoning General Business) to permit the expansion of a self-storage facility. The property is located at 5465 E. NC 150 Hwy. in Ironton Township.

CUP #347 Michael Rogers, applicant (Parcel ID# 76547) A request for a conditional use permit to sell vehicles in the I-G (General Industrial) district. The 0.65-acre lot is located at 7911 Commerce Drive in Catawba Springs Township.

CUP #348 SCI Towers, LLC (Parcel ID# 51949) A request for a conditional use permit to erect a 175-foot telecommunications tower in the I-G (General Industrial) district. The proposed site is a 9.6-acre tract located on the south side of Hagers Hollow Drive about 600 feet west of N.C. 16 Business in Catawba Springs Township.

PA #36 Nest Homes, LLC (Parcel ID# 84891) A request for preliminary plat approval of a 47-lot subdivision. The 75-acre tract is located on the south side of Campground Road about 3,000 feet east of Pine Ridge Drive in Catawba Springs Township.

3a. Fair Housing Plan Update - Andrew Bryant

4. Public Hearing - Fiscal Year 2017 Enhanced Mobility of Seniors and Individuals with Disabilities Program for Senior Services Transportation - Marti Hovis
5. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
6. Revised Lincoln County Incentive Grant Policy - Cliff Brumfield
7. Bid Approval for New Radio Consoles in Communication Center - Rick Ellis
8. Motion to Adopt the Declaration of Official Intent to Reimburse for the Debt Financing for the Water Treatment Plant Expansion Project - Deanna Rios
9. Other Business
10. Closed Session - Pursuant to NCGS § 143-318.11. Closed sessions (a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment.
11. Motion to Approve Resolution to approve release of property from Airport

Adjourn

UPON MOTION by Commissioner Beam, the Board voted unanimously to adopt the agenda as presented with Appointments under Other Business.

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

- Tax Requests for Releases over \$100 - September 16 - October 15, 2015
- Tax Request for Refunds over \$100 - September 21 - October 4, 2015
- Vehicle Tax Refunds over \$100 for August 2015
- CDBG (Community Development Block Grant) Status Updates
- Minutes for Approval – October 5, 2015; October 19, 2015
- Proclamation for National Family Caregivers Month - November 2015

*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: Jeremiah Combs presented the following:

ZMA #624 Jimmy Wise, applicant:

The applicant is requesting the rezoning of 1.0 acres from R-R (Rural Residential) to B-N (Neighborhood Business). A 600-square-foot commercial building designed for a beauty salon was constructed on this property in 2013 under the Unified Development Ordinance's provisions for a rural home occupation, which allows a resident to operate a business in an accessory structure at his or her home, subject to certain limitations.

The applicant now wants to turn the property into a regular business site, for use by an operator who lives elsewhere.

Site Area & Description

The property is located on the west side of Macedonia Church Road at the intersection of Burgin Smith Road in North Brook Township. It is adjoined by property zoned R-R.

Land uses in this area include residential, agricultural, business and industrial. The Lincoln County Land Use Plan designates this area as Rural Preservation, in which limited small-scale commercial uses that are suited for and blend in well with rural environments are encouraged.

Additional Information

Permitted uses

Under current R-R zoning: Single-family house, manufactured home.

Under requested B-N zoning: Personal care services (hair salon, massage therapy, etc.), office, retail sales, etc.

Adjoining zoning and uses

East (opposite side of Macedonia Church Road): zoned R-R, farmland.

South: zoned R-R, undeveloped portion of lot and lot with residence.

West: zoned R-R, undeveloped portion of applicant's property.

North (adjoining parcel): zoned R-R, applicant's residence.

Staff's Recommendation

Chairman Mitchem opened the public hearing concerning ZMA #624 –Jimmy Wise, applicant.

Jimmy Wise stated that he is the applicant and can answer any questions at this time.

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

CUP #347 – Michael Rogers, applicant:

The applicant is requesting a conditional use permit to sell vehicles in the I-G (General Industrial) district and in the Eastern Lincoln Development District (ELDD). Under the Unified Development Ordinance, vehicle sales is a conditional use in the I-G district and in the ELDD.

SITE AREA AND DESCRIPTION

The proposed site is a 0.65-acre parcel located at 7911 Commerce Drive in Catawba Springs Township. The property is adjoined by property zoned I-G and B-G (General Business). Land uses in this area include business and industrial. This property is part of an area designated by the Lincoln County Land Use Plan as industrial.

ORDINANCE REQUIREMENTS

The ELDD standards require that any outdoor sales area for vehicles be separated from the edge of the road right-of-way by a Class A vegetative buffer and a fence constructed of ornamental iron or other metal works. In this case, the applicant has stipulated that there will be no outdoor sales area.

Chairman Mitchem opened the public hearing concerning CUP #347 – Michael Rogers, applicant.

Matthew Rogers said his father will be collecting antique muscle cars at this location. There will be no restoration work at this location. His father is currently working on his dealer's license.

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

CUP #348 – SCI Towers, LLC, applicant:

The applicant is requesting a conditional use permit to erect a 175-foot telecommunications tower in the I-G (General Industrial) district. Under the Unified Development Ordinance, a telecommunications tower in excess of 60 feet and no greater than 325 feet is a conditional use in the I-G district, subject to certain standards.

SITE AREA AND DESCRIPTION

The proposed site is a 9.6-acre tract located on the south side of Hagers Hollow Drive about 600 feet west of N.C. 16 Business. It is adjoined by property zoned I-G, R-SF (Residential Single-Family) and B-N (Neighborhood Business). Land uses in this area include industrial, business, institutional (church) and residential. This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential.

ORDINANCE STANDARDS

Wireless telecommunications facilities are classified under civic uses. The Unified Development Ordinance sets the following standards for such facilities:

§4.3.7 Wireless Telecommunication Facility

A. The proposed tower, antenna or accessory structure and equipment will be placed in a location and in a manner which will minimize the visual impact on the

surrounding area. Accessory structures and equipment must meet all applicable standards of this UDO.

B. Approval for a proposed tower within a radius of 10,500 feet from an existing tower or other suitable structure shall not be issued unless the applicant certifies that the existing tower or structure does not meet applicant's structural specifications or technical design requirements, or that a co-location agreement could not be obtained at a reasonable market rate and in a timely manner.

C. Minimum tower setbacks shall be as follows:

1. From all lot lines and public right-of-ways, a distance equal to the tower's fall zone, as certified by a licensed professional engineer in the State of North Carolina, plus 20 feet; and
2. From any residential use, a distance of its height plus 50 feet, unless the owner of the use waives this requirement by a notarized affidavit.

D. The proposed tower must be designed to accommodate additional antennae equal in number to applicant's present and future requirements.

E. Unless otherwise restricted, the height of a tower is limited per §2.2.1, Use Table. Antennae or equipment mounted on a building must meet the height requirements of §2.4.

F. A tower must not be illuminated or contain any lighting unless otherwise required by State or Federal regulations.

G. The color of a tower and its antennae shall be one that will blend to the greatest extent possible with the natural surroundings.

H. No commercial signs or advertising shall be allowed on any tower, antennae, accessory structure or equipment.

I. Existing towers may be replaced or modified providing that the existing height is not exceeded by more than 20 feet and the new or modified tower meets all of the above requirements except for the setback provisions.

J. Any tower, antennae, accessory structure or equipment that is not used for communication purposes for more than 120 days shall be considered as abandoned and shall be removed by the owner within 60 days. The County shall require financial guarantees in accordance with §5.10 to guarantee removal of abandoned equipment in compliance with the requirements of this subsection.

K. Telecommunication/transmission towers shall not be constructed unless the tower owner has general liability coverage of at least \$1,000,000. The owner of the tower shall provide the County with a certificate of insurance showing evidence of its coverage and the certificate shall contain a requirement that the insurance company notify the County 30 days prior to the cancellation, modification or failure to renew the insurance coverage required. Lapse of this insurance shall be deemed by the County to be sufficient grounds to revoke the applicable County permits.

Chairman Mitchem opened the public hearing concerning CUP #348 – SCI Towers, LLC, applicant.

Craig Parker, Project Manager, presented an amended Certificate of Insurance.

The Planning Board asked about the closest tower and if it would be possible to collocate instead of building a new tower.

Mr. Parker incorporated a statement that the information in the application is correct as it was presented.

Mr. Dave Herring, owner of SCI Towers, spoke about the gap in coverage and the need for the tower at this location.

Keith Johnson asked if property values are ever affected by cell towers.

Michael Berkowitz told of instances where property values have been damaged by

Rich Permenter said he is neither for or against this cell tower. He gave some information about the distance between the existing towers and the proposed tower.

Robert Avery said the cell phone tower owners have agreed to let county 911 tack to the towers at no cost.

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

Plan Approval #36 – Nest Homes, LLC:

The applicant is requesting preliminary plat review and approval from the Lincoln County Planning Board and Board of Commissioners for the Fox Chase Subdivision. The subdivision in question contains 47 lots. The Lincoln County Unified Development Ordinance states in Article 9.6, all preliminary plats meeting the definition of a major subdivision shall be submitted to the Planning Board and Board of Commissioners in the form of a Quasi-Judicial public hearing for approval, approval with conditions, table or disapproval.

Fox Chase is located on the south side of Campground Road approximately one half mile from its intersection with Pine Ridge Drive. The site is approximately 4 miles from NC 16 Business. The subdivision is located in the Catawba Springs Township. The tract in question is approximately 75 acres. The subdivision will be served by county water and individual septic systems.

The Lincoln County Land Use plan designates this area as Suburban Residential. Residential development, especially single-family in character is encouraged in these areas once public utilities are in place.

Commissioner Beam asked if sewer is available in this area. Josh Grant said it is not.

Keith Johnson asked what the buffer is. Mr. Grant said the 50' buffer would apply to any intermittent or perineal steams for the Lincoln County Streamside Buffer Regulations.

Mr. Johnson asked if the road is already constructed. Mr. Grant said the road is already in place, it was an emergency access from Harbor Oaks subdivision. He said the primary entrance will be Campground Road.

Mr. Grant said the subdivision does not trigger the County's requirement or NCDOT's requirements for a TIA. The original road was developed only as an emergency access and NCDOT may require improvements such as turn lanes, etc. These improvements would be put into place when lot 22 is developed.

Chairman Mitchem opened the public hearing concerning PA #36 – Fox Chase Subdivision, applicant.

Paul Finniger, representing Nest Homes, said he is here to answer any questions.

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

The Planning Board recessed their meeting and continued on the 2nd floor balcony.

Fair Housing Plan Update: Andrew Bryant presented the Fair Housing Plan Update.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the Fair Housing Plan Update.

Public Hearing – Fiscal Year 2017 Enhanced Mobility of Seniors and Individuals with Disabilities Program for Senior Services Transportation – Marti Hovis:

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

UPON MOTION by Commissioner Martin, the Board voted unanimously to approve the Fiscal Year 2017 Enhanced Mobility of Seniors and Individuals with Disabilities Program for Senior Services Transportation.

PUBLIC TRANSPORTATION 5310 PROGRAM RESOLUTION

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, the purpose of the Section 5310 program is to enhance mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all area.

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering the Section 5310 Program for small urbanized and rural areas; and

WHEREAS, (Legal Name of Applicant) Lincoln County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* County Manager of (Name of Applicant's Governing Body) Lincoln County is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

I (Certifying Official's Name)* Amy S. Atkins (Certifying Official's Title) Clerk to the Board do hereby certify that the above is true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Lincoln County Board of Commissioners duly held on the 2nd day of November, 2015.

Signature of Certifying Official

Date

***Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me (date) _____

Notary Public Signature _____

Printed Name and Address

My commission expires (date) _____

Affix Notary Seal Here

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.

Robert Avery, 4466 Hwy 182, Crouse, spoke about Commissioner Oakes passing notes during Commissioner's meetings and asked the Chairman to sanction him.

Being no additional speakers, Chairman Mitchem closed public comments.

Revised Lincoln County Incentive Grant Policy - Cliff Brumfield: Cliff Brumfield asked for the Board's approval of the revised Incentive Grant Policy, which will make Lincoln County more competitive.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the revised Lincoln County Incentive Grant Policy.

**LINCOLN COUNTY
INDUSTRIAL DEVELOPMENT INCENTIVE GRANT PROGRAM
FOR NEW AND EXISTING INDUSTRIES**

I. OVERVIEW

Lincoln County has adopted the following Industrial Development Incentive Grant Program for purposes of recruitment of industry and increasing economic growth. The objectives of the grant program are to expand the tax base, to provide quality jobs for Lincoln County's residents, to promote economic development, and to secure the economic well-being of all citizens. The importance of sustaining and assisting with the growth of existing industries is well-documented. The diversification that comes with the addition of new industries to a county is needed to provide a broader economic base. The following paragraphs formalize the Incentive Grant Program.

II. PROGRAM PARAMETERS

The Industrial Development Incentive Grant involves a contractual agreement between Lincoln County and new or existing industries for a financial incentive grant based upon the actual value of qualifying new capital investment (as determined below) made by such new or expanding industries within the corporate boundaries of Lincoln County. Incentive grants made under this program will be identified by the particular project for which they are made and will be secured by a contract between the grant recipient and Lincoln County. Such contract must identify the start date and completion date of the proposed project, which project shall not exceed two years in duration. The time period for a contract shall not be required to coincide with the County's fiscal year. Should conditions change such that the amount of the qualifying new capital investment is greater or less than the contracted amount, the financial incentive grants to be made hereunder will be adjusted accordingly on a pro-rata basis. Changes or additions to a project after a contract's completion date will require a separate contract.

The maximum amount of the financial incentive grant will be determined in accordance with the provisions set out in Section IV and will be specified in the contract. In the event that a recipient actually makes a smaller investment than contracted for hereunder, the grant to be paid will be reduced accordingly.

For purposes of the incentive grant, the new capital investment will be assessed by the Lincoln County Tax Department on January 1, following the first full year of completion. The financial incentive grant will be paid in five equal annual installments **for investments up to \$9,999,999 and 7 equal installments for qualifying investments of \$10,000,000 or more.** The first of the annual installments will be paid 30 days after their tax payment for the then-current year has been received by Lincoln County; and after the company notifies Lincoln Economic Development Association their taxes have been paid, provided, however, that any annual grant installment may be delayed or withheld if the grant recipient is delinquent in the payment to Lincoln County of any taxes, utility bills, or other fees owed the County

The value of the qualifying new capital investment will be determined by the appraisers of the Lincoln County Tax Department on the basis of enhancements to Lincoln County's tax base. The Tax Department appraisers will consider only new investment in land, buildings, machinery, equipment, and personal property, subject to the following guidelines:

(a) For new construction or expansion of existing construction, the amount that qualifies for consideration in calculating incentive grants will reflect only the amount by which the new construction or expansion enhances the value of the property beyond its value prior to the project, except in regard to Shell Buildings outlined in section (d).

(b) The value of new investment in machinery, equipment, or other personal property eligible for consideration in calculating incentive grants will be limited to 70 percent of the amount of new investment in such property.

(c) For expansions of existing industries, the value of any machinery or equipment being phased out, replaced, or retrofitted as part of the project will be deducted from the value of replacement equipment in determining the amount that qualifies for consideration in calculating incentive grants.

(d) For Shell Buildings, the value of the property will qualify for consideration in calculating grants for the first buyer or tenant leasing for more than one year. Shell Buildings must be registered and approved by the Lincoln Economic Development Association to qualify for incentives.

If a grant recipient shall close, terminate, or reduce its operation by fifty percent (50%) or more during the five-year period of the grant, all further grant payments will cease, and the Industrial Development Incentive Grant for the recipient will be null and void.

Each project will be considered in accordance with the aforesaid guidelines. The Lincoln County Board of Commissioners will review these guidelines annually and make any necessary or appropriate changes. The grant program may be changed or rescinded at any time but with the understanding that contracts outstanding at the time of such termination or change will be honored in accordance with the terms of such contracts.

III. PROJECT QUALIFICATIONS

To be considered eligible for an Industrial Development Incentive Grant, a project must meet certain basic criteria. These criteria are to be used as guidelines in project evaluations. Additional criteria may be applied to specific projects based upon the terms of the contract between the grant recipient and Lincoln County.

Factors to be considered shall include but not be limited to the following:

--the size of the project based upon investment in site development, plant facilities, and infrastructure;

--the number and type of jobs created and the anticipated hourly wages to be paid;

--potential for future expansion and increased employment;

--site specific initiatives that may be pursued to stimulate other development in areas that Lincoln County may deem of significant benefit to the community.

IV. APPLICATION OF THE GRANT PROGRAM

1. Level I Grant -- for qualifying new capital investment by new or expanding industries in an amount from \$1,000,000 to \$4,999,999.

The annual grant to be paid will be computed by multiplying the dollar amount of the investment (as determined by the appraisers of the Lincoln County Tax Department) by a factor of 0.003887

2. Level II Grant -- for qualifying new capital investment by new or expanding industries in an amount from \$5,000,000 to \$19,999,999.

The annual grant to be paid will be computed by multiplying the dollar amount of the investment (as determined by the appraisers of the Lincoln County Tax Department) by a factor of 0.004485.

3. Level III Grant -- for qualifying new capital investment by new or expanding industries in an amount of \$20,000,000 to \$24,999,999.

The annual grant to be paid will be computed by multiplying the dollar amount of the investment (as determined by the appraisers of the Lincoln County Tax Department) by a factor of 0.005083.

4. Level IV Grant --for qualifying new capital investment by new or expanding industries in an amount of \$25,000,000 or more and will be performance based.

The annual grant to be paid will be computed by multiplying the dollar amount of the investment (as determined by the appraisers of the Lincoln County Tax Department) by a factor of 0.005681.

Additional incentives such as the Green Initiatives will be offered to qualifying companies through Lincoln County, for industries the grant will begin after payment of the Industrial Development Incentive Grant Program.

V. PUBLIC HEARING

Upon receipt of a grant application, and prior to approval of such application, the Lincoln County Board of Commissioners shall hold a public hearing after due advertisement in accordance with the provisions of N. C. G. S. 158-7.1.

Approved and adopted at the regular monthly meeting of the Lincoln County Board of Commissioners on the 1st day of February, amended by the Board on August 5, 2002, and most recently amended by the Board on June 7, 2004.

Carrol Mitchem, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board

Bid Approval for New Radio Consoles in Communication Center: - Rick Ellis presented the following:

The current radio consoles, Orbacom TDM150s were installed in 1999 when the Sheriff's Office was constructed. These consoles have reached end of life and replacement parts have become harder to find.

A new system was identified that would work well with our current radio infrastructure, keep end user training to a minimum, and bring us a Radio over IP based system that can grow and evolve with technology. The requested Mindshare system has been installed in Iredell county and I made two trips during that installation to see the system while it was being constructed and also after it was completed and in use. I believe that this system will work well for Lincoln County and is a huge cost saving when being compared to other vendors. This new system will be located at our central tower and only require a network connection to the Communications Center for control. This will make the eventual move to a new facility easier and as seamless as possible.

Mr. Ellis asked that the Board approve the GSA contract pricing bid for the Mindshare system to replace our current radio consoles. The total price is \$148,389.03 for equipment, installation and tax and will be paid from both the General Fund and the Emergency Telephone Fund.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the GSA contract pricing bid for the Mindshare system at a total price of \$148,389.03.

Motion to Adopt the Declaration of Official Intent to Reimburse for the Debt Financing for the Water Treatment Plant Expansion Project - Deanna Rios presented the following:

The Water Treatment Plant is going to be expanded in the near future. By adopting the Official Intent to Reimburse, any expenses incurred and paid prior to the issuing of the debt can be reimbursed to the Water and Sewer fund out of the debt proceeds. Without the Official Intent, we are precluded from reimbursing ourselves for those expenditures.

COUNTY OF LINCOLN, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the County of Lincoln, North Carolina (the "Issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The issuer anticipates incurring expenditures (the “Expenditures”) for expansion of the Water Treatment Plant (the “Project”).
2. **Plan of Finance.** The issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the “Borrowing”), the interest on which is to be excluded from gross income for Federal Income tax purposes.
3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$10,000,000.
4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to issuance of the Borrowing.

Adopted this 2nd day of November, 2015

SEAL

By: _____
Clerk
County of Lincoln, North Carolina

By: _____
Finance Director
County of Lincoln, North Carolina

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Declaration of Official Intent to Reimburse for the Debt Financing for the Water Treatment Plant Expansion Project.

Other Business: Commissioner Oakes presented the following appointments to the Library Board, which are adjustments to terms due to bylaw requirements.

Gail Budd	term expires 6/30/17 instead of 11/17/17
Laurie Sellers	term expires 6/30/17 instead of 9/14/17
Jane Crouse	term expires 6/30/18 instead of 11/1/2017 (is this the correct date?)
Sylvia Wallace	term expires 6/30/18 instead of 9/14/18
Jeannette Kolocheck	term expires 6/30/18 instead of 9/1/18
Wanda Hallman	term expires 6/30/17 instead of 9/15/17
Beck Reavis	term expires 6/30/18 instead of 9/14/15

UPON MOTION by Commissioner Oakes, the Board voted unanimously to adjust the Library Board terms as presented.

Kelly Atkins reminded the Board of the meeting at Gaston County on November 3, 2015 at 6:00 PM, with a light meal at 5:30.

Closed Session – UPON MOTION by Commissioner Patton, the Board voted unanimously to enter Closed Session pursuant to NCGS § 143-318.11. Closed

sessions (a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment.
Motion to Approve Resolution to approve release of property from Airport

No action was taken in Closed Session.

Motion to Approve Resolution to Approve Release of Property:

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Resolution to Approve Release of Property.

RESOLUTION CONVEYING THE CITY'S UNDIVIDED ONE-HALF INTEREST IN PROPERTY AND TO ENTER INTO A RELEASE AGREEMENT

WHEREAS, the Lincolnton-Lincoln County Airport Authority (the "Authority") entered into a lease with the City of Lincolnton (the "City") and Lincoln County (the "County") originally dated May 24, 1995, as has been amended and modified (collectively, the "Lease") encompassing multiple tracts or parcels of land, including that parcel described in Exhibit "A" attached hereto (the "Outparcel"); and

WHEREAS, the County owns a one-half undivided interest in and to the Outparcel with the City; and

WHEREAS, the Authority desires to release its leasehold interest in the Outparcel and the City desires to convey its one-half interest in the Outparcel to the County pursuant to the terms of that agreement attached hereto as Exhibit "B" (the "Agreement");

NOW, THEREFORE, BE IT RESOLVED, that the County shall enter into that Agreement attached hereto as Exhibit "B," provided all other parties thereto properly resolve to enter therein.

This the _____ day of November, 2015.

LINCOLN COUNTY

BY: _____ (SEAL)

CARROL MITCHEM, Chairman of the Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board of Commissioners

**EXHIBIT “A”
(LEGAL DESCRIPTION OF OUTPARCEL)**

An approximately 8.5 acre tract or parcel of land, as more particularly shown in that aerial photograph in which the subject property is highlighted, attached hereto.

**EXHIBIT “B”
(AGREEMENT)**

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