

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, DECEMBER 14, 2015**

The Lincoln County Board of County Commissioners met December 14, 2015 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

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

Others Present:

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

**Call to Order:** Chair Martin called the December 14, 2015 meeting of the Lincoln County Board of Commissioners to order. She called for a moment of silence and led in the Pledge of Allegiance.

**Adoption of Agenda:** Chair Martin presented the agenda for the Board's approval.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to adopt the agenda as presented, adding Item 2a and removing Item 8.

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, December 14, 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
  - Surplus Property
- 2a. Presentation to Eagle Scouts
3. Planning Board Recommendations - Randy Hawkins
4. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
5. Proclamation - Radon Action Month - January 2016 - Scott Sneed and Maggie Dollar
6. Partners Behavioral Mental Health Update - Rhett Melton
7. Request to enter into a contract with Sungard Public Sector to upgrade permitting and inspections software for the Planning and Inspections Department - Andrew Bryant
- ~~8. Request to increase existing 50' permanent easement to 70' and request for a 40' temporary construction easement - Logan Underwood~~
9. Finance Officer's Report
10. County Manager's Report
11. County Commissioners' Report
12. County Attorney's Report
13. Vacancies/Appointments
14. Calendar
15. Other Business

Information Only - No Action Needed

- Register of Deeds Report

- Property Tax Collection Report

Recess to December 17, 2015 at 9:00 a.m. in the Commissioners Room for a Budget Planning Retreat

**Consent Agenda:** UPON MOTION by Commissioner Mitchem, the Board voted unanimously to adopt the consent agenda as presented.

- Surplus Property

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

**Presentation to Eagle Scouts:** The Board presented Resolutions to Jackson Law, Joseph Zimmerman, Cole Warlick, and John Morra, Jr. in Recognition of their Attainment of Eagle Scout and congratulated them on the accomplishment.

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

**PD #2015-3 Eastwood Homes, applicant** (Parcel ID# 32663, 33004, 34511, 34512, 54013, 58901, 77175 and portions of 30054 and 51301) A request to rezone 151 acres from R-T (Transitional Residential) to PD-R (Planned Development-Residential) to permit a subdivision with 302 lots for single-family homes. The property is located on the east side of N.C. 16 bypass about 1,500 feet south of South Pilot Knob Road and includes portions of Freemont Lane and Avenel Lane.

**The Planning Board voted 9-0 to recommend approval.**

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for PD #2015-3 – Eastwood Homes, applicant.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the rezoning request for PD #2015-3 – Eastwood Homes, applicant.

**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.

**The Planning Board voted 9-0 to recommend approval.**

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for CZ #2015-2 – Landmark Self Storage, applicant.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the rezoning request for CZ #2015-2 – Landmark Self Storage, applicant.

**CUP #349 SCI Towers, LLC, applicant** (Parcel ID# 90500) A request for a conditional use permit to erect a 170-foot telecommunications tower in the R-SF (Residential Single-Family) district. The proposed site is a 12.4-acre tract located at 8165 Webbs Road in Catawba Springs Township.

**The Planning Board voted 9-0 to recommend approval.**

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve CUP #349 – SCI Towers, LLC, applicant with the Findings of Fact presented by the Planning Board.

**CUP #350 Robert Wise, applicant** (Parcel ID# 59489) A request for a conditional use permit to sell vehicles in the I-G (General Industrial) district. The proposed 1.0-acre site is located at 7593 Townsend Drive in Catawba Springs Township.

**The Planning Board voted 9-0 to recommend approval with the condition that no more than 10 vehicles for sale be displayed outside the building at any time.**

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve CUP #350 – Robert Wise, applicant with the Findings of Fact presented by the Planning Board.

**WSCUP #20 Tenowo, Inc., applicant** (Parcel ID# 53348) A request for a conditional use permit to exceed 36% impervious surface area in the South Fork/Catawba River WS-IV Protected Area as a special nonresidential intensity allocation under the 10/70 option. The applicant is proposing a three-phase expansion of a manufacturing facility that would result in a 53.2% impervious surface area. The 16.65-acre site is located at 1968 Kawai Road in Lincolnton Township.

**The Planning Board voted 9-0 to recommend approval.**

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Findings of Fact presented by the Planning Board for WSCUP #20 Tenowo, Inc., applicant.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve WSCUP #20 – Tenowo, Inc., applicant.

**Public Comments:** Chair Martin opened Public Comments.  
Being no speakers, Chair Martin closed public comments.

**Radon Action Month Proclamation:** Maggie Dollar, Health Director, said January will be National Radon Month. The State of Public Health has taken on testing for radon gas and making a limited number available.

Scott Sneed said radon awareness is a public health issue and the State Radiation Section has given them a limited supply of test kits available on a first come, first served basis. If all test kits are gone, citizens will be given a website to obtain a test kit.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the Radon Action Month Proclamation.

**Partners Behavioral Mental Health Update:** Rhett Melton, gave an update on Partners Behavioral Mental Health. He asked the Board to speak to local legislation to encourage them to reinstate full funding to Partners.

**Request to Enter into a Contract with Sungard Public Sector:** Andrew Bryant, Director of Planning and Inspections, requested permission to enter a contract with Sungard Public Sector to upgrade the existing permitting and inspections software. The Current AS-400 software has become outdated and is need of an upgrade. The software was originally purchased in 1995 and cannot keep up with departmental reporting demands and the demands of the citizens of the county.

The proposal outlines a product suite that will meet the demands of this department and the county as a whole. Approval of this contract and the quoted pricing is recommended.

The total first year investment will be \$311,750. The Inspections Department projects that revenues will exceed expenditures by approximately \$500,000. Due to legislation (SL 2015-145) that was adopted by the General Assembly this summer, fees collected for building permits shall be used for support of the administration and activities of the inspection department and for no other purpose. These funds can no longer be rolled back into the General Fund or be used to support planning, zoning, and code enforcement operations. By utilizing revenues project to be collected by the end of this fiscal year this project should not have any effect on the General Fund. Recurring yearly maintenance cost for the software are greater than those being paid today but are justified by the additional features provided by the software suite.

Commissioner Mitchem asked about man hours saved and mentioned the outdate GIS system.

Mr. Atkins recommended the purchase of this software at this time due to the fact that the negotiated price will expire at the end of December.

**A MOTION** by Commissioner Patton to approve the purchase of software.

**A SUBSTITUTE MOTION** by Commissioner Mitchem to table this until December 17 at the budget retreat.

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

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

**Finance Officers' Report:** Scott Cook presented the Finance Officer's Report.

**County Manager's Report:** Mr. Atkins informed the Board that he has received the CIPs from all department heads.

The Board of Commissioners and Board of Education are scheduled to meet on January 26, 2016.

He said the county is hoping to close on the Cronland Property before the end of the year.

**County Attorney's Report:** Charlie Lane informed the Board that a zoning action has been filed against the owner of Midtown Sundries, due to the fact that part of the parking lot is collapsing into the sewer line behind it.

**County Commissioners' Report:** Commissioner Oakes thanked Don Chamblee and Public Works staff for working with the Patriot Homes group to repair an issue with sewer. The crew showed up at 5:00 p.m. and stayed until almost midnight to ensure the repairs were completed.

**Recess:** Chair Martin recessed the meeting to December 17, 2015 at 9:00 a.m. for a budget retreat.

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Amy S. Atkins, Clerk  
Board of Commissioners

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Cecelia Martin, Chair  
Board of Commissioners