

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, FEBRUARY 22, 2016**

The Lincoln County Board of County Commissioners met February 22, 2016 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

**Commissioners Present:**

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

**Commissioners Absent:**

Cecelia A. Martin, Chairman

**Others Present:**

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

**Call to Order:** Vice Chair Mitchem called the February 22, 2016 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence and led in the Pledge of Allegiance.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, February 22, 2016**  
**(rescheduled from 2/15/16 due to weather)**  
**6:30 PM**

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

Call to Order – Vice Chairman Mitchem

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda

- Budget Ordinance Amendment #7
- Waived fees
  - Lincoln County Home School Prom
  - Stars Benefit Fundraiser
- Reduced Auditorium Fees
- Updated Transportation System Safety Program Plan (SSPP)
- Vehicle Tax Systems Refunds
- Tax Refunds over \$100 - December 21 - January 3, 2016; January 4 - 17, 2016
- Approval of Minutes

3. Planning Board Recommendations - Randy Hawkins
4. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
5. Resolution #2016-1: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens - Susan Sain
6. Request to increase existing 50' permanent easement to 70' and request for a 40' temporary construction easement - Logan Underwood
7. Finance Officer's Report
8. County Manager's Report
9. County Commissioners' Report
10. County Attorney's Report
11. Vacancies/Appointments
12. Calendar
13. Other Business

Information Only - No Action Needed

- Register of Deeds Report
- Property Tax Collection Report

~~14. Closed Session Pursuant to NCGS § 143-318.11. Closed sessions (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged~~

Recess to 8:30 AM on February 25, 2016 in the Commissioners Room for a budget work session

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to adopt the agenda as amended, removing the Closed Session.

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

- Budget Ordinance Amendment #7
- Waived fees
  - Lincoln County Home School Prom
  - Stars Benefit Fundraiser
- Reduced Auditorium Fees
- Updated Transportation System Safety Program Plan (SSPP)
- Vehicle Tax Systems Refunds
- Tax Refunds over \$100 - December 21 - January 3, 2016; January 4 - 17, 2016
- Approval of Minutes

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

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

**CUP #351 Chrissy Reed, applicant** (Parcel ID# 87882) A request for a conditional use permit to build a guest house to serve as an accessory use to a single-family dwelling. The 10-acre parcel is located at the end of Farm Bridge Lane about 1,200 feet south of Hallman Farm Lane in Ironton Township.

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

**UPON MOTION** by Commissioner Patton, the Board voted to approve Conditional Use Permit # 351 – Chrissy Reed, applicant, based on the findings of fact presented by the Planning Board.

**Public Comments:** Vice Chair Mitchem opened Public Comments.

Pam Kuebler spoke concerning the no kill equation for Lincoln County and asked the Board to consider spay-neuter laws for Lincoln County. She said in her opinion the no kill equation is simply not the right fit for the county, but the 90% live release rate can be achieved through other methods.

Diane Leatherman said comparing tax funded public shelters to privately run no kill shelters is like comparing apples and oranges. She said the common themes from the forums were funding, staff and volunteers. She stressed the need for a spay-neuter ordinance.

Robert Avery asked the Board to do a citizen taxpayer's survey.

Being no additional speakers, Vice Chair Mitchem closed public comments.

**Resolution #2016-1: A Resolution Ordering the Advertising of Delinquent Real Estate**

**Property Tax Liens:** Susan Sain, Tax Administrator, said that pursuant to NCGS 105.369(a), the amount of delinquent 2015 taxes which are a lien on real estate property is \$3,920,707.38. A complete listing of these delinquent taxes is on file at the Lincoln County Tax Department.

Upon receipt of this statement, the governing board must order advertising of the unpaid delinquencies. She recommended that the advertisement appear one (1) time between March 1 and June 30, 2016, as required per NCGS 105.369(a), in the Lincoln Times News. This delinquent list will also be posted in the Lincoln County Courthouse upon approval by the Board.

**RESOLUTION #2016-1: A RESOLUTION ORDERING THE ADVERTISING OF  
DELINQUENT REAL ESTATE PROPERTY TAX LIENS**

THAT WHEREAS, NCGS 105-369(a) requires the Tax Administrator to report to the Board of Commissioners the delinquent tax liens on real property; and

WHEREAS, the same statute requires the Board of Commissioners to order that these liens be published one (1) time between March 1 and June 30; and

WHEREAS, the Tax Administrator has submitted said listing of the delinquent tax liens on real property;

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that the Tax Administrator is hereby ordered to publish the list of delinquent tax liens on real property.

Passed and adopted this the 22<sup>nd</sup> day of February, 2016.

BY: \_\_\_\_\_

Cecelia Martin, Chair  
Lincoln County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Amy S. Atkins, Clerk to the Board

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Resolution #2016-1: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens.

**Request to increase existing 50' permanent easement to 70' and request for a 40' temporary construction easement:** Logan Underwood said Piedmont Natural Gas has an existing 50' permanent easement on a parcel in the Lincoln County Industrial Park and they would like to increase that to a 70' permanent easement and request a temporary construction easement. Piedmont Natural Gas is upgrading the pipeline that runs from Gaston County to Catawba County. Compensation will be \$13,409.00 for this

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the request as presented.

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

**County Manager's Report:** Mr. Atkins reported on the meetings concerning the no-kill philosophy and said he will meet with HATS and the Humane Society on Wednesday and Thursday nights.

Mr. Atkins said he and Deanna Rios have been working with staff on their budget requests.

Staff continues to work with the contract with Little and Associates.

The City of Lincolnton visited the Block Smith Gym and would like to speak further on this.

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

**County Commissioners' Report:** Nothing reported.

**Recess:** UPON MOTION by Commissioner Oakes, the Board voted unanimously to recess to 8:30 AM on February 25, 2016 in the Commissioners Room for a budget work session.

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Amy S. Atkins, Clerk  
Board of Commissioners

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Carrol Mitchem, Vice-Chair  
Board of Commissioners