

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, APRIL 4, 2016**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on April 4, 2016, at the Citizens Center, Commissioners' Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

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

Commissioners Absent:

Alex E. Patton (due to family illness)

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:** Chair Cecelia Martin called the meeting to order. She led in a Moment of Silence and the Pledge of Allegiance.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, April 4, 2016**  
**6:30 PM**

**James W. Warren Citizens Center**

**115 West Main Street  
Lincolnton, North Carolina**

Call to Order - Chair Cecelia Martin

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
  - Tax Request for Releases over \$100 - 2/16 - 3/15/16
  - Approval of Minutes
  - CDBG Monthly and Quarterly Reports
  - Release of remainder of stormwater construction bond
  - Budget Ordinance Amendment #8
  - Capital Project Ordinance Amendment #6
  - Vehicle Tax System Refunds
  - Resolution authorizing the County Manager to execute the CSX agreement for a sewer line crossing
  - Resolution to seek a grant from NCDEQ for Water and Sewer Asset Management Assistance
3. Zoning Public Hearings - Randy Hawkins

CZ #2016-1 Gary Lawing, applicant (Parcel ID# 89881) A request to rezone 1.8 acres from B-N (Neighborhood Business) and R-S (Residential Suburban) to CZ B-G (Conditional Zoning General Business) to permit a self-storage facility. The property is located on the north side of N.C. 27 East and east side of Sunny Hill Drive in Ironton Township.

UDO Proposed Amendments #2016-1 Clint Hennessee applicant. A proposal to amend the Lincoln County Unified Development Ordinance as follows:

- 1) Amend Section 3.12.4 under General Development Standards to establish maximum permitted sound levels as measured at or beyond the property boundary based on the zoning district of the adjoining property.
- 2) Amend Section 4.4 under Specific Use Standards to establish maximum permitted sound levels for racetracks as measured at or beyond the property boundary based on the zoning district of the adjoining property.
- 3) Amend Section 12.3.2 under to add a definition for "racetrack."

CUP #352 Tommy Richardson, applicant (Parcel ID# 10632) A request for a conditional use permit to allow a Class C (singlewide) manufactured home to remain in the R-S (Residential Suburban) district. (A temporary permit was approved for the home to serve as a care provider housing unit.) The 0.9-acre parcel is located at 786 Hulls Grove Church Road in North Brook Creek Township.

CUP #353 ROADRA, LLC, applicant (Parcel ID# 34492) A request for a conditional use permit to establish a self-storage facility in the Eastern Lincoln Development District (ELDD). The

proposed 7.2-acre site, which is zoned I-G (General Industrial), is located on the north side of N.C. 73 and south side of Club Drive about 600 feet from the intersection of the two roads in Catawba Springs Township.

WSCUP #21 ROADRA, LLC, applicant (Parcel ID# 34492) A request for a conditional use permit to exceed 36% impervious surface area in the Catawba River/Mountain Island Lake WS-IV Protected Area as a special nonresidential intensity allocation under the 10/70 option. The applicant is proposing to develop a 7.2-acre site for a self-storage facility. The property is located on the north side of N.C. 73 and south side of Club Drive about 600 feet from the intersection of the two roads in Catawba Springs Township.

PA #38 Christian Rogne, applicant (Parcel ID# 92330) A request for preliminary plat approval for a 15-lot subdivision. The 19-acre tract is located on the east side of Beth Haven Church Road about 1,300 feet north of Willow Farm Drive in Catawba Springs Township.

4. Proposed Modification in Carrington Plan - Randy Hawkins
- 4a. Report from ECA (Extension & Community Association) – Melinda Houser
5. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
6. Approval for consulting services for a certified distribution hydraulic model for Lincoln County water utilities - Don Chamblee
7. Approval of construction contract with Buckeye Bridge, LLC for the Lowesville sewer line construction - Don Chamblee
8. Motion to Award Bid to DH Griffin for the abatement and demolition of the old jail and closure of test wells - John Henry
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

Adjourn

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to adopt the agenda adding item 4a – Report from Extension and Community Association.

**Consent Agenda:** Commissioner Oakes asked to remove the Stormwater Construction Bond and add it to the agenda as item 4b.

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

- Tax Request for Releases over \$100 - 2/16 - 3/15/16
- Approval of Minutes – March 21, 2016

- CDBG Monthly and Quarterly Reports
- Release of remainder of stormwater construction bond
- Budget Ordinance Amendment #8
- Capital Project Ordinance Amendment #6
- Vehicle Tax System Refunds
- Resolution authorizing the County Manager to execute the CSX agreement for a sewer line crossing
- Resolution to seek a grant from NCDEQ for Water and Sewer Asset Management Assistance

\*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:**

#### **CZ #2016-1 Gary Lawing, applicant:**

The applicant is requesting the rezoning of 1.8 acres from B-N (Neighborhood Business) and R-S (Residential Suburban) to CZ B-G (Conditional Zoning General Business) to permit a self-storage facility. A self-storage facility is a conditional use in the B-G district. A site plan has been submitted as part of the rezoning application.

This property is located on the north side of N.C. 27 and east side of Sunny Hill Drive in Ironton Township. It is adjoined by property zoned B-N and R-S. Land uses in this area include business and residential. This property is part of an area designated by the Lincoln County Land Use Plan as Mixed Residential/Commercial.

#### **Permitted uses**

Under current zoning: retail sales, offices, personal services, restaurant, etc., on portion of property zoned B-N; single-family dwelling or duplex on portion of property zoned R-S.  
Under proposed zoning: self-storage facility.

#### **Adjoining zoning and uses**

East: zoned B-N and R-S, vacant lot, duplex.

South (opposite side of N.C. 27): zoned B-N, vehicle service garage, residence.

West (opposite side of Sunny Hill Drive): zoned B-N and R-S, self-storage facility, vacant lot.

North: zoned R-S, day care center.

Planning

Chair Martin opened the public hearing concerning CZ #2016-1 – Gary Lawing, applicant.

Gary Lawing, applicant, said they will put about a 275 unit complex with a nice fence around it. He said it will be a nice location with landscaping. He said it was a wooded lot and the timber has been cut off. The site is right beside Chuckwagon Grill. He said the access will be Sunny Hill Drive to avoid problems on Hwy 27.

Being no additional speakers, she declared the public hearing closed.

### **UDO Proposed Amendments #2016-1 Clint Hennessee, applicant:**

#### **APPLICANT'S PROPOSAL**

The applicant is proposing amendments to the Lincoln County Unified Development Ordinance as follows:

- 1) Amend Section 3.12.4 under General Development Standards to establish maximum permitted sound levels as measured at or beyond the property boundary based on the zoning district of the adjoining property and time of day.
- 2) Amend Section 4.4 under Specific Use Standards to establish maximum permitted sound levels for racetracks as measured at or beyond the property boundary based on the zoning district of the adjoining property and time of day.
- 3) Amend Section 12.3.2 to add a definition for "racetrack."

Under the proposal, maximum sound levels would be based on an average decibel reading over a 10-minute period.

The full text of the proposal, including tables with maximum prescribed decibel levels, is included with the application.

#### **BACKGROUND**

Lincoln County currently doesn't have specified maximum decibel limits in its noise ordinance or in the UDO.

The noise ordinance prohibits "any loud, raucous and disturbing noise, which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities.

Section 3.12.4 of the UDO states that "uses shall be operated to prevent noise from becoming a nuisance to adjacent single-family detached and two-family houses and residential districts."

A number of other counties and cities in North Carolina have noise regulations with maximum decibel levels, but nearly all of those regulations are established in standalone noise ordinances. Those ordinances apply to various types of disturbing noises, including amplified music, loud gatherings, animals, and vehicles in general. Noise ordinances are typically administered by law enforcement agencies.

In researching this proposal, staff has not found any zoning ordinances that establish maximum sound levels for racetracks. Instead, some ordinances require that racetracks be set back a certain minimum distance from the property line or from any existing home or

business. Gaston County, for example, requires that no portion of any outdoor motor vehicle racetrack be located closer than 750 feet to an existing principal structure on an adjoining lot.

## STAFF'S RECOMMENDATION

Staff recommends that Parts 1 and 2 of the proposal not be approved. Staff recommends approval of Part 3 only. The UDO currently doesn't include a definition for a "racetrack."

If the Board of Commissioners wants to establish maximum permitted sound levels, staff believes it should be done by amending the county's noise ordinance. Many noise issues involve temporary disturbances that don't fall under the purview of zoning.

As for establishing a specific noise standard for racetracks, staff believes the noise issue can be resolved through the conditional use process. A racetrack is not a permitted use by right in any zoning district. It is a conditional use in the R-R (Rural Residential) and I-G (General Industrial) districts. A racetrack shouldn't be approved unless an applicant provides sufficient information to show that it would be buffered adequately from adjoining properties.

Chair Martin opened the public hearing concerning UDO Proposed Amendments #2016-1 – Clint Hennessee, applicant.

Clint Hennessee, applicant, presented information concerning the request and his reasoning for asking for the changes. He spoke about the difficult task of proving a nuisance with the time restrictions imposed on speakers at public hearings. He said he looked at other towns and county's regulations before coming up with the suggested language. Mr. Hennessee asked for maximum permitted sound levels per district. The Town of Garner has these standards currently and this has not harmed economic development. Their sound levels are based on 10 minute averages. He said these amendments will be firm, fair and consistent.

Christine Poinsette asked who enforces these in Garner. Mr. Hennessee said it would be a nuisance complaint under the UDO.

Commissioner Beam said he likes the UDO approach of controlling noise verses Sheriff's Department enforcement.

Commissioner Mitchem asked about shooting and the time averages. He asked about agricultural uses. Mr. Hennessee said agricultural is excluded from this ordinance.

Crystal Mitchem asked about lawn mowers. Mr. Hennessee said lawn mowers are excluded. Mrs. Mitchem said this is a very slippery slope due to the fact that air conditioners would exceed the limits. She said the Town of Garner is a suburb of Raleigh and this helps their economic development.

Commissioner Oakes said he would suggest only one chart moving forward, since there are currently 2.

Floyd Dean asked about where the sound is measured. He said he is all for a noise ordinance, but thinks it should be researched thoroughly.

Greg Smith said by averaging, with firing a gun, it should be under the limit since you fire and then pause.

Chair Martin asked Andrew Bryant to explain how this would affect his department. Mr. Bryant said Mr Hennessee is trying to model this on the front end and if sound studies came back, uses could be denied based on this. He spoke on some difficulties with Planning and Inspections enforcing this, such as boats on Lake Norman, people firing weapons, and violations after 5 since there are no staff members working those hours.

Commissioner Mitchem asked if this could apply to a homeowner. Mr. Hawkins said this could apply to residences. He said there would need to be a lot of exemptions if this was approved.

Greg Smith asked if any noise studies have been performed. Mr. Hawkins said there have not been any to his knowledge.

Julius Barkley spoke in favor of the request, explaining the different factors in sound that make it difficult to enforce. He said at the public hearings, there was not sufficient time for witnesses to present nuisance information.

Being no additional speakers, she declared the public hearing closed.

**CUP #352 – Tommy Richardson, applicant:** Jeremiah Combs presented the following information:

The applicant is requesting a conditional use permit to allow a Class C manufactured home to remain in the R-S (Residential Suburban) district. A Class C manufactured home is a singlewide that meets the Unified Development Ordinance's appearance standards. Under the UDO, a Class C manufactured home is permitted in the R-S district subject to the issuance of a conditional use permit.

A temporary use zoning permit was issued on September 24, 2003, to permit the Class C manufactured home that is currently located on the property as a care provider housing unit. This home is no longer being used as a care provider housing unit; therefore, the temporary use permit is no longer effective.

## SITE AREA AND DESCRIPTION

The 0.9-acre parcel is located on the east side of Hulls Grove Church Road in North Brook Township. It is adjoined by property zoned R-S. Land uses in this area include residential, agricultural and institutional (church). Manufactured homes are located in this area. County water is available at this location. This property is part of an area designated by the Lincoln.

Chair Martin opened the public hearing concerning CUP #352- Tommy Richardson, applicant.

Commissioner Oakes asked how a temporary permit can be good for 13 years. Mr. Combs said they renew these annually and the applicant certifies and signs the application stating that the need is still there.

Tommy Richardson said the mobile home was placed there in 2003. He said family will live in the mobile home. Mr. Richardson said this property is surrounded by property owned by his family.

Being no additional speakers, she declared the public hearing closed.

**CUP #353- ROADRA, LLC, applicant:** Randy Hawkins presented the following information saying testimony given in this case should also be considered for the next case as well.

The applicant is requesting a conditional use permit to establish a self-storage facility in the Eastern Lincoln Development District (ELDD) on property zoned I-G (General Industrial). Under the Unified Development Ordinance, a self-storage facility is a permitted use in the I-G district and a conditional use in the ELDD. A site plan has been submitted as part of the application. The self-storage facility would be accessed by existing driveways off N.C. 73 and Club Drive, through a multi-tenant commercial development that the applicant also owns.

#### **SITE AREA AND DESCRIPTION**

The proposed 7.2-acre site is located on the north side of N.C. 73 and south side of Club Drive about 600 feet from the intersection of the two roads. The property is adjoined by property zoned I-G, PD-MU (Planned Development Mixed Use) and R-T (Transitional Residential). Land uses in this area include business, residential and a hydroelectric power facility. This property is part of an area designated by the Lincoln County Land Use Plan as industrial.

#### **ADDITIONAL INFORMATION**

##### **Adjoining zoning and uses**

East: zoned I-G, Duke Energy property with transmission lines, offices and hydroelectric facility.

South (opposite side of N.C. 73): zoned R-T, undeveloped tracts.

West: zoned I-G, multi-tenant commercial development.



North (opposite side of Club Drive): zoned PD-MU, undeveloped commercial area of mixed use development and transmission line right-of-way.

Chair Martin opened the public hearing concerning CUP #353 – ROADRA, LLC.

Brandon Pridemore said there are 2 full access driveways to this site, Highway 73 will be restricted to vehicles for the business office. The entrance on Club Drive will be to access the storage unit and the other will be exit only. He said this type business does not provide that much traffic. He said the property will be gated.

Commissioner Oakes if they would accept a condition that they advertise the address as Club Drive.

Rodney Howard said the third exit will allow tractor trailers in and out. He said there are 2 three story buildings up front and there are 4 300' buildings. He said there will be a total of about 500 units. This will be a 2.5 to 3 million dollar investment.

Andrew Robinson said this property tapers down toward the watershed and creek quite severely. He asked if retaining walls will be put in. Mr. Howard said they will change the topo. Mr. Pridemore said they will level the site out.

Commissioner Oakes said the proposed findings should be modified to say that a driveway permit will be obtained from NCDOT for Club Drive.

Being no additional speakers, she declared the public hearing closed.

**WSCUP #21 – ROADRA, LLC, applicant:**

The applicant is requesting a conditional use permit to exceed 36% impervious surface area in the Catawba River/Mountain Island Lake WS-IV Protected Area as a special nonresidential intensity allocation under the 10/70 option. The applicant is proposing to develop a self-storage facility with 50.7% impervious surface area. Mr. Howard testified that this will be an investment of \$2.5 to \$3 million.

Under the 10/70 option, 10 percent of the acreage in a watershed district may be developed with new nonresidential projects having up to 70% impervious surface area. Approval is on a project-by-project basis, subject to the issuance of a conditional use permit by the Board of Commissioners. One of the findings of fact that must be made in approving a permit for a special nonresidential intensity allocation is that the project will substantially increase the county's tax base or otherwise significantly promote or expand economic development and/or job opportunities.

The Catawba River/Mountain Island Lake covers 5,157.6 acres. No acreage in this watershed district has previously been allocated under the 10/70 option. If ROADRA's permit request is approved, 508.6 acres would be available for future allocation in this watershed district..

**SITE AREA AND DESCRIPTION**

The proposed 7.2-acre site is located on the north side of N.C. 73 and south side of Club Drive about 600 feet from the intersection of the two roads. The property is adjoined by property zoned I-G, PD-MU (Planned Development Mixed Use) and R-T (Transitional Residential). Land uses in this area include business, residential and a hydroelectric power facility. This property is part of an area designated by the Lincoln County Land Use Plan as industrial.

See CUP #353 for parcel info, zoning and aerial maps of area, and proposed site plan.

Chair Martin opened the public hearing concerning WSCUP #21.

Cynthia Jones said she is very concerned about exceeding the 36% impervious surface area in this critical area.

Charles Myers, representing the Catawba River Foundation and Lakekeeper for Mountain Island Lake, said he is very concerned with the water. Mountain Island Lake provides water for over a million people. One acre of wooded property has no runoff from 1" of rain. One acre of impervious area, 1" generates 27,000 gallons of runoff per rainfall. He said he doesn't know if the retention ponds will hold that much water. He asked that the Board not go beyond the 36%. He said this use does not generate additional jobs for the county.

Christine Poinsette asked if detention ponds are checked. Mr. Hawkins stated that they are checked at least on a yearly basis.

Being no additional speakers, she declared the public hearing closed.

**PA #38 – Christian Rogne, applicant:**

The applicant is requesting preliminary plat review/ sketch plan approval from the Lincoln County Planning Board and Board of Commissioners for a 15 lot subdivision along Beth Haven Church Rd. The subdivision extends a new roadway approximately 2200 ft. into the subject property including street trees and the required stub roads or direct access to adjacent properties. 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, disapproval or approval with conditions.

**Site Area & Description**

The site is located on the east side of Beth Haven Church Road approximately 1300 feet north of its intersection with Willow Farm Drive. The tract in question is 18.87 acres in size, zoned R-T (Residential Transitional) and is located within the Catawba Springs Township. The subdivision will be served by individual wells and septic systems.

**Land Use Plan**

The Lincoln County Land Use plan designates this area as Suburban Residential.

Residential development, especially single-family in character, with a density of 1-2 units per acre is encouraged in these areas.

Chair Martin opened the public hearing concerning PA #38 – Christian Rogne.

Christian Rogne, applicant, said he will turn over the roads to the State after completion of the roads. He said they are excited to develop this property and will have larger lots to keep more impervious surface.

Larry Petit, 2696 Beth Haven Church Road, said they have concerns about wells in the area. He said eventually they will want to develop more land. He said they are concerned about the houses he will put in the development since they are surrounded by large homes and asked for a minimum square footage requirement.

David Crooks said his family originally owned this property and he needs access to his property on the back side. He does not want to be landlocked. He asked what kind of houses would be put there and expressed concerns about wells and septic tanks.

Mr. Rogne said he plans to put premium stick built homes between 1,500 and 2,000 square foot. He said he wants to be a good neighbor and will be happy to work with Mr. Crooks.

Being no additional speakers, she declared the public hearing closed.

**Proposed Modifications in the Carrington Plan:** Randy Hawkins presented the following:

Carrington is a 151-acre site was rezoned in December to Planned Development Residential (PD-R) to permit a subdivision with up to 302 lots for single-family homes. The approved plan calls for a main access off N.C. 16 Business south of South Pilot Knob Road.

The applicant/developer, Eastwood Homes, is now proposing to shift the main access to the north, bringing it closer to the point where South Pilot Knob Road currently intersects N.C. 16 Business at a sharp angle. In order to provide adequate spacing between intersections, Eastwood Homes would realign South Pilot Knob Road so that it intersects N.C. 16 Business further to the north at a 90-degree angle. Turn lanes would be provided at the realigned intersection and at the main access to Carrington. The N.C. Department of Transportation has reviewed the proposal and preliminarily approved it. Under the Lincoln County Unified Development Ordinance, a relocation of a main entrance serving a planned development is a major modification of an approved master plan and requires resubmittal to the Board of Commissioners.

### **Staff's recommendation**

Staff recommends the Board of Commissioners approve the proposed modification, which calls for not only shifting the main access but also realigning South Pilot Knob Road. Shifting the main access to the Carrington development will have minimal effect on the properties that adjoin the tract of land that it crosses. The owner of that tract, which is not part of the proposed subdivision, has signed off on the change. Realigning South Pilot Knob Road to create a T-intersection with N.C. 16 Business will provide a benefit to the public in terms of traffic safety. NCDOT is planning a similar project at the intersection of N.C. 16 Business and North Pilot Knob Road.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the modification in the Carrington Plan.

**ECA Presentation:** Melinda Houser introduced Dot Harris with Extension and Community Association.

Dot Harris gave a report on the activities of the Extension and Community Association. She said they have been organized for over one hundred years. She said when the Citizens Center was being built, the ECA ladies helped to get the bond referendum passed and paid for the marquee out front. They also paid for the diaper changing stations in the restrooms. The group also took care of beautification of the convenience sites. The group is composed of 47 active members in different areas of the county.

**Stormwater Construction Bond:**

Commissioner Oakes asked why the bond was being released when there is still a problem. Mr. Hawkins said there is a maintenance bond that was in place, provided by Family Dollar Stores, not the developer. C4 Developer no longer owns the property and want their money back. He said they have spoken with Family Dollar about a maintenance issue and if they do not fix these, there is a maintenance bond.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the release of the remainder of stormwater construction bond.

**Public Comments:** Chair Martin opened Public Comments.

Robert Avery asked for a park for Howard's Creek with restroom facilities. He asked the Board to look into purchasing land for this park.

Rudy Bauer said an employee stated that the catch basins are inspected once a year and they should come to inspect the one at Coventry.

Being no additional speakers, Chair Martin closed Public Comments.

**Approval for consulting services for a certified distribution hydraulic model for Lincoln County water utilities** - Don Chamblee presented the following:

Lincoln County Public Works does not have a current calibrated hydraulic model of the water system. This request is based on historical flow data as well as current and future development, which will continue to increase the demands on the water system. Such a model will allow Public Works staff a comprehensive and detailed overview of current demands on the system as well as provide staff a greater insight into how proposed development in the county could affect water flow and pressure. The calibrated model can also provide predictive data for future growth and budgetary planning on the most efficient and cost effective system improvements needed. The system hydraulic flow model would also allow Public Works to better control water quality by enabling staff to make more accurate calculations regarding flow for flushing. Additionally, by having a calibrated water model, Lincoln County Fire Departments could utilize the information in annual ISO reports, which could possibly lead to lower ISO ratings and would also eliminate the need to flow test by flushing water at the hydrants, which is not only time consuming for fire departments but also results in a costly loss of water.

Public Works requests approval to enter into a contract with WK Dickson for the development of a water hydraulic model for \$60,000.00.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the contract with WK Dickson for the development of a water hydraulic model for \$60,000.00.

**Approval of construction contract with Buckeye Bridge, LLC for the Lowesville sewer line construction** - Don Chamblee presented the following:

Lincoln County advertised an invitation to bid for the Lowesville Sewer construction project on September 28, 2015. The sealed bids were received and opened on February 11, 2016. The low bid of \$2,193,611.00 was received by Buckeye Bridge. As recommended by WSP, the engineering firm for the project, Public Works is requesting approval to award the contract for construction to Buckeye Bridge.

In 2012, engineering reports recommended the construction of Killian Creek Wastewater Treatment Plant (KCWWTP) and closure of Forney Creek Wastewater Treatment Plant (FCWWTP). These improvements will increase capacity of the lift station at the prior FCWWTP from 2.44 MGD to 4.31 MGD. This project will also allow flows to pump station 13 at 7314 Old Plank Road to pump directly to KCWWTP.

Requesting that the Board of Commissioners approve authorization of the County Manager to execute a base contract and change orders as may occur during the process of construction with Buckeye Bridge for \$2,193,611.00 with a contingency reserve of 5%.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve authorization of the County Manager to execute a base contract and change orders as may occur during the process of construction with Buckeye Bridge for \$2,193,611.00 with a contingency reserve of 5%.

**Motion to Award Bid to DH Griffin for the abatement and demolition of the old jail and closure of test wells** - John Henry presented the following:

Bids were received and upon reviewing DEM/EX/DEG's bid, there was some information found concerning a recently filed Chapter 11 and a recent lawsuit. Due to this, staff and Mr. Deaton are recommending awarding the bid to DH Griffin for the abatement and demolition of the old jail and closure test wells, the lowest responsible bidder.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to award the bid to DH Griffin for abatement and demolition of the old jail and closure of test wells.

**Other Business:** Mr. Atkins asked the Board if they could be in attendance on April 18 at 8:30 a.m. for a final budget work session.

He said the Senior Center received a Certificate of Excellence and praised them for their hard work and dedication.

**Closed Session** – **UPON MOTION** by Commissioner Mitchem, 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 and (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.

Chair Martin announced that no action was taken in Closed Session.

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