

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, APRIL 18, 2016**

The Lincoln County Board of County Commissioners met April 18, 2016 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 – arrived late  
Martin Oakes  
Bill Beam  
Alex E. Patton

**Others Present:**

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

**Call to Order:** Chair Martin called the April 18, 2016 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.

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, April 18, 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
  - CPOA #7
  - Resolution #2016-5: Resolution Changing Name of Authorized Person to Make Recommendation for ABC Permits in the County
  - BOA #9

- BOA #10
- Performance Guarantee Application Approval - Trilogy Lake Norman (Carolina Ridge) Parcel G/H, Map 1 & 2
- Vehicle Tax Systems Refunds
- Contract to Audit Accounts

3. Planning Board Recommendations - Randy Hawkins
4. Road Naming Public Hearings - Netta Anderson
  1. Carlton Lane
  2. Maple Hill Lane
  3. Heritage Lane
5. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
6. Sole Source Purchase of LEGOS WEDO 2.0 and LEGO EV3 MINDSTORMS kits in the amount of \$6493.85 (purchased with funds received due to an increase in State Aid) - Jennifer Sackett
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

13a. 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.(3) to consult with the County Attorney concerning negotiations about the Airport.

Adjourn

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

**Consent Agenda:** **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to adopt the consent agenda removing Resolution #2016-5.

- CPOA #7
- Resolution #2016-5: Resolution Changing Name of Authorized Person to Make Recommendation for ABC Permits in the County
- BOA #9
- BOA #10
- Performance Guarantee Application Approval - Trilogy Lake Norman (Carolina Ridge) Parcel G/H, Map 1 & 2
- Vehicle Tax Systems Refunds
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\*All items listed in the consent agenda are hereby incorporated by reference and are on file in the Clerk's office.

**Resolution #2016-5: Resolution Changing Name of the Authorized Person to Make Recommendation for ABC Permits in the County:** UPON MOTION by Commissioner Beam, the Board voted unanimously to approve the Resolution that the Lincoln County Sheriff be named to make recommendations for ABC permits in Lincoln County.

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

**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.

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

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve CZ #2016-1 – Gary Lawing, applicant.

**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.

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

UPON MOTION by Commissioner Beam, the Board voted to approve CUP #352 – Tommy Richardson, applicant, based on the findings of fact presented by the Planning Board.

**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.

**The Planning Board voted 9-0 to recommend approval with the following conditions:**

- 1) The address of the self-storage facility shall be advertised as Club Drive.**
- 2) Access #1 as designated on the site plan shall not be used to access the selfstorage facility.**

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve CUP #353- ROADRA, LLC, applicant based on the findings of fact and conditions presented by the Planning Board.

**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.

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

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve WSCUP #21- ROADRA, LLC, applicant based on the findings of fact and conditions presented by the Planning Board.

**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.

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

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve PA #38 – Christian Rogne, applicant based on the findings of fact and conditions presented by the Planning Board.

**Road Naming Public Hearings:** Netta Anderson presented the following:

**Carlton Lane**

This road is located off of Shoal Road and requires naming due to the fact that there are going to be four (4) structures that access Shoal Road via this private road. The Road Name Proposed is

**Carlton Lane** and was agreed to by all residents. The name is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chair Martin opened the public hearing for Carlton Lane. Being no speakers, she closed the public hearing.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the road name Carlton Lane.

#### **Maple Hill Lane**

This road is located off of Sain Milling Road and requires naming due to the fact that there are going to be four (4) structures that access Sain Milling Road via this private road. The Road Name Proposed is **Maple Hill Lane** and was agreed to by all residents. The name is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chair Martin opened the public hearing for Maple Hill Lane. Being no speakers, she closed the public hearing.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the road name Maple Hill Lane.

#### **Heritage Lane**

This road is located off of Loop Road and requires naming due to the fact that there are three (3) structures that access Loop Road via this private road. The Road Name Proposed is **Heritage Lane** and was agreed to by all residents. The name is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chair Martin opened the public hearing for Heritage Lane. Being no speakers, she closed the public hearing.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the road name Heritage Lane.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the requested modifications to the Rivercross master plan to allow the development of the apartment area to start first as presented.

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

Robert Avery asked the Board to put a park with restrooms in the Crouse/Howard's Creek area.

Rudy Bauer said there have been 2 public meetings about planning in East Lincoln. He said he hopes the Board will follow as closely as possible what the Planning Board comes up with.

Being no additional speakers, Chair Martin closed public comments closed.

**Sole Source Purchase of LEGOS WEDO 2.0 and LEGO EV3 MINDSTORMS kits:** Ms. Sackett presented the following information:

The Lincoln County Public Library previously purchased LEGO WEDO 2.0 and LEGO EV3 MINDSTORMS kits with grant funds that were awarded to purchase items to develop and expand programs that incorporate science, technology, engineering, arts, and mathematics (STEAM) components. Due to increased popularity and program attendance the library would like to purchase additional kits. The funds were additional state aid funds. This is a Sole Source since LEGO is the only vendor of these.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to approve the sole source purchase as presented by Ms. Sackett.

**Lincoln Economic Development Budget:** Mr. Cliff Brumfield, Executive Director, presented the Board with a copy of the statement of financial positions, which show the fund balance for the past six years. There was a discussion between Commissioner Oakes and Mr. Brumfield concerning the fund balance of EDA, the shell building, the Optimist Club Convenience Site and capital spending. Mr. Brumfield said his understanding is that 100% of the proceeds of the sale of the convenience site will come back to Lincoln County. Commissioner Oakes said he did not read that in any of the agreements. It was agreed that Mr. Deaton, Commissioner Oakes and Mr. Brumfield will meet and look over the documents and discuss the convenience site.

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

**County Manager's Report:** Mr. Atkins said he is will be attending the County Municipal Course this week and will graduate at the end of the week. He informed the Board of the meeting with City Council on April 26, 2016 at 6:30 PM. Mr. Atkins announced the hire of the Animal Services Supervisor, Hannah Beaver. Mrs. Beaver is currently employed by Chatham County Animal Services and begins May 2. The Director will be named as soon as her screenings come back.

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

**County Commissioners' Report:** Commissioner Beam said he and Commissioner Oakes attended an Open Meetings Law seminar this afternoon. He said he feels the Board is falling short in some areas and would like Mr. Deaton to look into it.

Commissioner Oakes said Trilogy will have an Open House from 11 to 4 pm on April 30. He said the State has redone the way they rank road projects. He said there will be a public hearing on some of the proposed changes and information will be forthcoming.

**Vacancies/Appointments:** None reported.

**Closed Session:** **UPON MOTION** by Commissioner Oakes, 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 (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. The purpose of the closed session is to discuss an industry that is interested in locating at the Airport.

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

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

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Amy S. Atkins, Clerk  
Board of Commissioners

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Cecelia Martin, Chair  
Board of Commissioners