

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 16, 2016

The Lincoln County Board of County Commissioners met May 16, 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
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 May 16, 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, May 16, 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
 - Waived Fees for Special Events - DABA Fireworks
 - Resolution #2016-8: Resolution Adopting a Policy for Mutual Assistance with Other Law Enforcement Agencies
 - Vehicle Tax Systems Refunds

3. Planning Board Recommendations - Randy Hawkins
 - CUP #354 Joe Gates, applicant
 - ZMA #625 Lincoln County Planning and Inspections Department, applicant
 - ZMA #626 Hannah Smith, applicant
 - PD #2016-2 Cambridge Properties, Inc., applicant
 - UDO Proposed Amendments #2016-2 Lincoln County Planning and Inspections Department,
 - UDO Proposed Amendments #2016-1 Clint Hemmessee, applicant
4. Request to reclassify a Senior Income Maintenance Caseworker position to an Income Maintenance Supervisor - Susan McCracken
5. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
6. Review of Lease for Rescue Squad Park - Todd Wulforst
7. Public Hearing - Industrial Incentive Grant for New Industry - Craig Goodson
 - Motion to Adopt Resolution #2016-7: Resolution to Adopt Economic Incentive Grant Agreement
8. Revised Drug/Alcohol Policies - James Luster
9. Budget Presentation - Kelly Atkins
10. Motion to formally reject bids received for the Lowesville Sewer project and rebid project using updated bid documents - Don Chamblee
11. Motion to approve a Resolution to seek a grant from the North Carolina State 911 Board for the design, construction and up-fit of a (PSAP) Public Safety Answering Point - Communications Center and authorizing the County Manager to execute the grant application - Don Chamblee
12. Motion to approve construction contract with Earnhardt Grading, Inc. for Solid Waste Landfill Cell Expansion Construction - Don Chamblee
13. Capital Improvement Project Updates - Don Chamblee
14. Budget Ordinance Amendment # 11 - Deanna Rios
15. Finance Officer's Report
16. County Manager's Report
17. County Commissioners' Report
18. County Attorney's Report
19. Vacancies/Appointments
20. Calendar
21. Other Business

Information Only - No Action Needed
- Register of Deeds Report

- Property Tax Collection Report

22. 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 Beam, the Board voted unanimously to adopt the agenda as presented.

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

- Waived Fees for Special Events - DABA Fireworks
- Resolution #2016-8: Resolution Adopting a Policy for Mutual Assistance with Other Law Enforcement Agencies
- Vehicle Tax Systems Refunds

*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 #354 Joe Gates, applicant: (Parcel ID# 91820) A request for a conditional use permit to place a Class B (doublewide) manufactured home in the R-S (Residential Suburban) district. The proposed 0.89-acre site is located on the south side of Reepsville Road about 800 feet east of Cat Square Road in Howards Creek Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the CUP based on the findings of fact presented by the Planning Board.

ZMA #625 Lincoln County Planning and Inspections Department, applicant: (Parcel ID# 91947 and portions of 55971, 15029 and 15039) A proposal to rezone 23.2 acres from R-SF (Residential Single-Family) to R-T (Transitional Residential). The property is located on the west side of Pleasant Grove Church Road and south side of Dave Heafner Road in Howards Creek Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner Mitchem, the Board voted 4 – 1 (Beam against) to approve the Statement of Consistency and Reasonableness.

UPON MOTION by Commissioner Mitchem, the Board voted 4 – 1 (Beam against) to approve ZMA #625 – Lincoln County Planning and Inspections Department, applicant, based on the recommendation of the Planning Board.

ZMA #626 Hannah Smith, applicant (Parcel ID# 92442) A request to rezone 1.0 acre from R-SF (Residential Single-Family) to R-R (Rural Residential). The property is located on the west side of N.C. 274 about 400 feet south of Fairview School Road in North Brook Township.

The Planning Board voted 8-0 to recommend approval.

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

UPON MOTION by Commissioner Mitchem, the Board voted to approve ZMA #626 – Hannah Smith, applicant, based on the recommendation of the Planning Board.

PD #2016-2 Cambridge Properties, Inc., applicant (Parcel ID# 90176 and 34534) A request to rezone 15.3 acres from R-T (Transitional Residential) and B-G (General Business) to PD-C (Planned Development-Commercial) to permit up to 90,000 square feet of commercial space, including a 50,000-square-foot store, 12,500 square feet of smaller shops, and three outparcels. The property is located on the east side of N.C. 16 Business about 1,000 feet north of N.C. 73 in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner Oakes, the Board voted 4 – 1 (Mitchem against) to approve the Statement of Consistency and Reasonableness for PD #2016-2.

UPON MOTION by Commissioner, the Board voted 4 – 1 (Mitchem against) to approve PD #2016-2 Cambridge Properties, Inc., applicant based on the recommendation of the Planning Board.

UDO Proposed Amendments #2016-1 Lincoln County Planning and Inspections Department, applicant. A proposal to amend the Lincoln County Unified Development Ordinance as follows:

- 1) Amend Sections 2.2.1.B and 2.5.1.F to allow a microbrewery as a permitted use in the B-G (General Business) and B-N (Neighborhood Business) districts and in the Eastern Lincoln Development District (ELDD).
- 2) Amend Sections 2.2.1.B and 2.5.1.F to allow a microbrewery combined with a restaurant as a permitted use in the B-G (General Business) and B-N (Neighborhood Business) districts and in the Eastern Lincoln Development District (ELDD).
- 3) Amend Section 4.4 to establish standards for a microbrewery and for a microbrewery combined with a restaurant, limiting the maximum size.

The Planning Board voted 4-4 on a motion to recommend approval of the proposal. The Planning Board voted 4-4 on a motion to recommend approval of a revised proposal to make a microbrewery and a microbrewery combined with a restaurant a conditional use in the B-G and B-N districts.

UPON MOTION by Commissioner Oakes, the Board voted 4 -1 (Patton against) to approve the Statement of Consistency and Reasonableness.

UPON MOTION by Commissioner, the Board voted 4 – 1 (Patton against) to approve UDO Proposed Amendments #2016-1 applicant without conditions.

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 for commercial and industrial uses 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.”

The Planning Board voted 9-0 on April 4, 2016, to table the proposal for up to 60 days for further study.

The Planning Board voted 8-0 on May 9, 2016, to recommend against approving Parts 1 and 2 of the proposal and to recommend in favor of approving Part 3. (The Planning Board also voted 8-0 to recommend that the county’s noise ordinance be reviewed.)

Commissioner Mitchem asked about enforcement. Mr. Hawkins said it will be enforced by the Planning Department. Andrew Bryant said he would receive calls, Code Enforcement will make a case the next morning. Ongoing after hours or weekend complaints could be monitored going forward.

A MOTION by Commissioner Beam to approve Section 1 of the Amendment.

A SUBSTITUTE MOTION by Commissioner Mitchem to approve the put standards on all new race tracks and approve the definition of race tracks because race tracks can be a nuisance for the citizens of Lincoln County.

VOTE: 4 – 1 AYES: Mitchem, Beam, Patton, Oakes
NOES: Martin

A MOTION by Commissioner Beam to approve the applicant's Statement of Consistency and Reasonableness for section 1. VOTE: 1 – 4 AYES: Beam
NOES: Mitchem, Patton, Oakes, Martin

A MOTION by Commissioner Oakes to approve Section 2 and 3as presented for maximum permitted sound levels for racetracks as measured at or beyond the property boundary and also the definition for a racetrack.

VOTE: 4 – 1 AYES: Beam, Oakes, Patton, Mitchem
NOES: Martin

Request to reclassify a Senior Income Maintenance Caseworker position to an Income Maintenance Supervisor: Susan McCracken presented the following request to reclassify a Senior Income Maintenance Caseworker position to an Income Maintenance Supervisor.

In an effort to enhance their ability to successfully move from the old Legacy System to NCFAS, they followed the lead of the State DSS and rewrote their business plan. Changes were made to reorganize in a “universal model” that expected most Income Maintenance Caseworkers to understand policy for two programs. All supervisors were expected to know and train two programs.

While they have been successful in meeting UDA SNAP (Food Stamps) timeliness guidelines, they have learned that the model is not the most effective. NCFast has not reached a point of supporting the universal model and their manuals have not been integrated. To return to the earlier success with timeliness and accuracy, they plan to reorganize returning to a more specialized process. To do so will require an additional supervisor to concentrate solely on Food and Nutrition Services (Food Stamps).

This can be accomplished by promoting the Food and Nutrition Services Leadworker (Senior IMC) to Supervisor. No new position will be needed and the cost is \$1,121 annually.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to reclassify the Senior Income Maintenance Caseworker position to an Income Maintenance Supervisor as requested.

Public Comments: Chair Martin opened Public Comments.

Rudy Bauer, 8252 Blades Trail, said by approving Cambridge, the Board created another traffic problem with the traffic light on the hill.

Commissioner Oakes asked for a letter to be written to DOT asking for no trucks in the left lane.

Ronnie Caldwell asked for the Board's help concerning a road block he has encountered upon a proposal to build duplexes which involves tying onto water and sewer. He asked for the ability to put in septic tanks and move forward with his project. Andrew Bryant gave information concerning waivers in the UDO.

Robert Avery said the Board of Equalization and Review needs representation from someone who lives in a modular home.

Being no additional speakers, Chair Martin closed public comments.

Review of Lease for Rescue Squad Park: Todd Wulforth asked for a modification in the Lease for the Rescue Squad Park to allow the sale of alcohol at public events.

Joe Lampron, Chair of Denver Days Committee, said Denver Days will be at the park this year, which will be the permanent home. He said there will be two music events, one in July and one in August and the Denver Days Festival in September.

UPON MOTION by Commissioner Beam, the Board voted 3 – 2 (Patton and Mitchem against) to approve the Amendment to the Lease for Rescue Squad Park.

Public Hearing - Industrial Incentive Grant for New Industry and Motion to Adopt Resolution #2016-7: Resolution to Adopt Economic Incentive Grant Agreement: Craig Goodson presented the following:

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH Air T, Inc.**

WHEREAS, the Lincoln County Board of Commissioners verily believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development within Lincoln County through the recruitment of new industries to the County and the expansion of existing industries in the County; and

WHEREAS, Air T, Inc. has developed plans for the location of their corporate headquarters facility in Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincoln County Board of Commissioners hereby approves the Lincoln County Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among Lincoln County and Air T, Inc.
2. The Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of Lincoln County in order to effectuate this transaction.
3. This resolution shall become effective upon adoption.

This 16th day of May, 2016.

Cecelia Martin, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board

LINCOLN COUNTY INCENTIVE GRANT AGREEMENT

ARTICLE I.

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 16th day of May 2016, by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as “the County”), and Air T, Inc., a Delaware corporation (hereinafter referred to as “Air T”).

WITNESSETH:

WHEREAS, Air T has developed plans for the relocation and construction of a Corporate Headquarters and back-office support operations facility and installation of equipment in Lincoln County, North Carolina; and

WHEREAS, the Board of Commissioners of Lincoln County verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of Lincoln County and to the welfare of its citizens; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding Lincoln County’s tax base and providing additional jobs for Lincoln County’s citizens that pay wages higher than the current prevailing average hourly wage in the particular industry; and

WHEREAS, the Board of Commissioners has determined that it is appropriate and in the best interests of Lincoln County and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the Board of Commissioners believes that it is appropriate and reasonable to expect Air T to bind itself to the County to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the County;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before September 30, 2016 (actual effective date will be the start of the project) Air T shall begin construction of a Corporate Headquarters facility and installation of business personal property and equipment in Lincoln County, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Air T shall make an investment upon such site in building/land and/or business personal property, machinery and equipment of \$2,928,000 (the "Expected Capital Investment"), with such value determined based on the actual amount invested by Air T, of which \$2,649,600 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy.
3. Within two years of the effective date of this agreement, Air T, together with its subsidiary Mountain Air Cargo, Inc., shall provide at such site at least 50 new jobs paying average annual wages of \$50,000 per year (the "Jobs Requirement").
4. In consideration of the performance of the aforesaid obligations by Air T, the County will provide a cash grant to Air T of \$10,522.00 per year for a five-year period, for a total grant amount of \$52,610.00. Lincoln County will pay each grant beginning in the tax year after the project's completion. Grants will be paid to Air T within 30 days after Air T has made its tax payment for the then-current year and has notified Lincoln Economic Development Association of the payment. This amount represents a Level I grant under the Lincoln County Industrial Development Incentive Grant Policy for New and Existing Industries.
5. Air T shall on a no less than annual basis provide evidence reasonably satisfactory to the County of how many jobs (as provided in Paragraph 3 herein) it has maintained.
6.
 - a. In the event that the value of the investment actually made by Air T pursuant to this agreement is greater or less than the Expected Capital Investment then the grant will be equitably adjusted upward or downward on a pro-rata basis.
 - b. In the event that the number of people in qualifying jobs actually employed by Air T and Mountain Air Cargo, Inc. in any year during the term of the Agreement is fewer than the Jobs Requirement, then the County may, in its discretion, reduce the amount of the Grant to be paid for the year (or seek reimbursement for the Grant already paid for said year) in the amount of \$250.00 per job shortfall.
7. Air T specifically agrees that in the event that all or any portion of this agreement or any incentive grant or payment to be made hereunder is declared to be unconstitutional, illegal, or otherwise enjoined by a court of competent jurisdiction, Air T shall reimburse Lincoln County by the amount of any such grant or payment actually received.
8. Any delay in the performance of any of the duties or obligations of either party hereunder

(the "Delayed Party") shall not be considered a breach of this Agreement and the time required for performance shall be extended for a period equal to the lesser of (i) the period of such delay or (ii) 24 months, provided that such delay has been caused by or is the result of any acts of God; acts of the public enemy; insurrections; riots; embargoes; labor disputes, including strikes, lockouts, job actions, or boycotts; shortages of materials or energy; fires; explosions; floods; earthquakes; severe weather conditions; transportation delays; governmental or administrative prohibitions; changes in laws governing international trade; or other unforeseeable causes beyond the control and without the fault or negligence of the Delayed Party. The Delayed Party shall give prompt notice to the other party of such cause, and shall take whatever reasonable steps are necessary to relieve the effect of such cause as promptly as possible. No such event shall excuse the payment of any sums due and payable hereunder on the due date thereof except any payment due upon the occurrence of any act or event for which delayed performance is excused as provided above.

[signatures on following page]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

AIR T, INC.

By: _____
President

LINCOLN COUNTY

By: _____
Cecilia Martin, Chairman
Board of Commissioners

ATTEST:

Amy S. Atkins
Clerk to the Board of Commissioners

Chair Martin opened the public hearing. Being no speakers, she declared the public hearing closed.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve Resolution #2016-7: Resolution to Adopt Economic Incentive Grant Agreement with Air T, Inc.

Revised Drug/Alcohol Policies - James Luster presented the following:

On February 11, 2016, a DOT Compliance Review was conducted for the Transportation Lincoln County's DOT program. The review included the county's drug and alcohol policy. They strongly encouraged the County to adopt a stand-alone Drug and Alcohol Policy for Transportation Lincoln County.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the revised Drug/Alcohol Policy as presented.

Budget Presentation: Mr. Kelly Atkins presented the Budget for Fiscal year 2016-17 with an ad valorem property tax rate of \$.611 per \$100, a tax assessment increase from \$8.4 billion to \$8.48 billion, a property tax collection rate of 97.50% and a balanced budget.

The Solid Waste Availability Fee will increase from \$86.00 to \$99.00 and tipping fees will increase 8%.

A 2% COLA is recommended for County employees and no medical insurance premium increases are proposed.

Staff again used the established funding formula agreed upon by the County and School Board. This resulted in an increase of \$147,899.00 in local funding over the prior year.

Schools requested an additional \$451,365.00 for mandated expenses and \$416,490.00 for additional teacher supplement. The Board of Commissioners agreed to fund the \$451,365 for mandated expenses and \$208,245 for additional teacher supplement.

The baseline for FY 18 will be less the additional increase for the formula.

Capital Projects for FY 17 include:
Airport Business Park \$7,800,000
Library West Lincoln Plans \$150,000
Airlie Grading Project \$1,000,000
Government Center \$15,000,030
Citizen Center/Courts \$2,147,000
Medical Arts Roof \$350,000
Cronland Renovation \$1,100,000
Jail Renovation Adult Probation/Parking Lot \$850,000
School Additions/Renovations \$13,500,000
Total \$41,750,030.00

Human Resources FY Recommended new positions:

Six Officers Sheriff's Office

One P-T Administrative Assistant Emergency Management/Fire Marshall

Two 911 positions

One IT Analyst

One GIS Specialist

One Library Service Technician

One Electrician

One Child Support Agent

The proposed budget for Water and Sewer is \$10,076,507 and proposed capital projects are \$4,926,000. The sewer debt in East Lincoln will go away, due to the fact that the debt will be satisfied. There will be no sewer district tax in 2017 and beyond. It will be placed on an agenda in the future to abolish the sewer district.

The goals for FY 17 for Solid Waste are: all convenience sites will be open 7 days a week, necessary equipment replacement, moving forward with Optimist Club Convenience Site Planning and Construction, improving post closure deficit and opening a new landfill cell.

All fire districts are recommending their respective tax rates remain the same for FY 17 with the following exceptions: Howards Creek – Increase from 12.03 to 12.232 and East Lincoln – Increase from 8.5 to 8.6.

A previous Board agreed by Resolution to maintain a 15% Fund Balance. The proposed budget includes an appropriation of fund balance (\$5,480,239.00) Lincoln County currently has an unrestricted fund balance of approximately 23% (\$20,307,623.00) After the appropriation in FY 17, the unassigned fund balance will be approximately 15.5% (\$14,827,384.00). Across the State, counties that are comparable to Lincoln County in population average about 24% fund balance.

Future challenges and opportunities include rising healthcare costs, Workers Comp costs, maintenance of existing county buildings, new landfill cell, Water Treatment Plant expansion, Sewer Treatment Plant expansion, and Sewer Pump Station upgrades. Additional challenges include a new facility for Lincoln County Government, School bond issuance possibility, New Library in West Lincoln, renovation of the James Warren Citizens Center, renovation of the old jail for Adult Probation and additional space for the Courts.

Chair Martin called for a five minute recess and called the meeting back to order.

Taylor Sumansky was introduced as the new Animal Services Director for Lincoln County. Taylor thanked the county for the opportunity and that she was very happy to be in Lincoln County.

Motion to formally reject bids received for the Lowesville Sewer project and rebid project using updated bid documents: 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. Three bids from \$2,193,611.00 to \$5,992,324.00 were received. WSP, the engineering firm for the project, initially recommended awarding the contract for construction to the low bidder. This would rescind the Board action from April 4, 2016 to use the low bid.

WSP Parsons Brinckerhoff has further reviewed the Bids, construction documents and addendum. WSP Parsons Brinckerhoff recommended updating the construction documents and rebidding the project. Public Works is seeking approval to formally reject the bids received on February 11, 2016 and rebid the project using updated bid documents that address the concerns.

UPON MOTION by Commissioner Patton, the Board voted unanimously to formally reject bids received for the Lowesville Sewer project and rebid the project using updated bid documents based on the issues Chamblee gave.

Motion to approve a Resolution to seek a grant from the North Carolina State 911 Board for the design, construction and up-fit of a (PSAP) Public Safety Answering Point - Communications Center and authorizing the County Manager to execute the grant application - Don Chamblee presented the following

Lincoln County is requesting that the Board of Commissioners adopt a resolution regarding the acceptance and compliance requirements of the NC State 911 Board PSAP Grant. This resolution is a requirement for application for the grant.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to adopt a Resolution regarding the acceptance and compliance requirements of the NC State 911 Board PSAP Grant.

RESOLUTION BY THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY

WHEREAS, The North Carolina 911 Board have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and planning of Public Safety Answering Points, and

WHEREAS, Lincoln County has need for and intends to construct an E-911 Communications Center, and

WHEREAS, Lincoln County intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY:

That Lincoln County, the Applicant, will arrange financing for all remaining costs of the project including required matching funds, if approved for a State grant award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Kelly Atkins, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the completion of the planning project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 16 day of May, 2016 at Lincolnton, North Carolina.

Cecelia A. Martin Chair of Board of Commissioners

Motion to approve construction contract with Earnhardt Grading, Inc. for Solid Waste Landfill Cell Expansion Construction - Don Chamblee presented the following:

Lincoln County advertised an invitation to bid for the Solid Waste Landfill Cell construction project on March 4, 2016. Three sealed bids were received and opened on May 3, 2016 at 2:00 p.m. The low bid of \$2,586,302.74 was received by Earnhardt Grading, Inc. As recommended by Municipal Engineering Services, the engineering firm for the project, Public Works is requesting approval to award the contract for construction to Earnhardt Grading.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to authorize the County Manager to execute a base contract with Alternate 4 for construction of the Landfill Cell with Earnhardt Grading, Inc. for \$2,586,302.74.

Capital Improvement Project Updates - Don Chamblee presented a schedule of Capital Improvement Projects including the Wastewater Treatment Plant Project, Water Treatment Plan Expansion, Demolition of Old Jail for Adult Probation Relocation, demolition of 200 Gamble Drive, Health Department relocation, Government Center, Construction of a new Communications Center and Helping Hands facility. John Henry said construction of panels on the Citizens Center should begin in the next week. He gave an update on the Field Operations Center (old Cronland site).

Budget Ordinance Amendment # 11 - Deanna Rios presented Budget Ordinance Amendment #11 for the Board's approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve Budget Ordinance Amendment #11.

Mr. Oakes presented a draft agreement with the Airport to cover the lease for the business park for the Airport. Mr. Deaton will draft a legal document concerning this.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to adopt the plan as a draft and give to Wesley to formalize.

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

County Manager's Report: Nothing reported.

County Attorney's Report: Nothing reported.

County Commissioners' Report:

Vacancies/Appointments: **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to make the following appointments.

Historic Properties Commission

Reppoint

- **Greg McBryde** **Term 3: 7/1/16 – 6/30/19**
- **Edward Little** **Term 3: 7/1/16 – 6/30/19**

Gaston College Board of Trustees

Reappoint

- **Jim Watson** **Term 3: 7/1/16 – 6/30/20**

Ag District Advisory Board

Reappoint:

- **Gerald Frye** **Term 3: 7/1/16 – 6/30/19**
- **Robert Kalmacher** **Term 3: 7/1/16 – 6/30/19**

Environmental Review Board

Reappoint:

- **Florence Arrowsmith** **Term 2: 8/1/16 – 7/31/19**
- **Pam Stroupe** **Term 2: 8/1/16 – 7/31/19**

Centralina Economic Development Commission

Reappoint:

Cliff Brumfield Term 2: 3/1/16 – 2/28/19

Recreation Commission

Appoint: Robert Marilla – Catawba Springs Township

Term 0 ending 6/30/16

Term 1 7/1/16 – 6/30/19

Reappoint Todd Stempien – Lincolnton Township

Term 1: 7/1/16 – 6/30/19

Planning Board

Reappoint:

Todd Burgin Term 2: 7/1/16 – 6/30/19

John Dancoff Term 2: 7/1/16 – 6/30/19

Floyd Dean Term 2: 7/1/16 – 6/30/19

Commissioner Beam asked the Board to consider doing away with the policy that mandates term limits.

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 – specifically Airlie Business Park.

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

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

Amy S. Atkins, Clerk
Board of Commissioners

Cecelia Martin, Chair
Board of Commissioners