

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

The Lincoln County Board of County Commissioners met July 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  
Martin Oakes  
Bill Beam  
Alex E. Patton

**Commissioners Absent:**

Carrol Mitchem, Vice Chair

**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 July 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.

Commissioner Beam spoke of the loss of Mr. Harry Huss

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, July 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

- Fee Waiver Request for Denver Days Special Events Series 2016
- VTS Refunds
- Sponsored Group Status - New Providence Baptist Church
- Approval of Minutes
- Tax Releases Over \$100 - 5/16 - 6/15/16

3. Planning Board Recommendation - Randy Hawkins
4. Public Hearing - Road Naming - Henry Camp Trail - Netta Anderson
5. Public Hearing - Road Naming - Pioneer Trail - Netta Anderson
6. Public Hearing - Industrial Development Incentive Grant for Existing Industry - Kara Brown
7. Public Hearing - Industrial Development Incentive Grant for Existing Industry - Kara Brown
8. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
9. Lincoln County Recreation Commission's Recommendations for Duke Energy FERC Plans for Beatty's Ford Park and Little Creek Access - Travis Sinclair, Duke Energy and John Davis
10. Performance Guarantee Application Approval - Trilogy Lake Norman (Carolina Ridge) - Parcel G/H Map 4 - Josh Grant
- 10a. Tax Settlement - Susan Sain
  - Motion to adopt Resolution #2016 -12: A Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator
  - Motion to approve the Order Directing the Tax Collector to Collect the Taxes Charged in the Tax Records and Receipts
11. Budget Ordinance Amendment #1 - Scott Cook
12. Motion to Approve Purchase of Landscape Truck for Grounds Department - John Henry
- 12a. Construction bid for Lincoln County Field Operations Center on Salem Church Road - John Henry
13. Approval of USDA Loan Application for Airport Business Park - Commissioner Oakes
14. Approval of Modifications of Withdrawal Agreement between Lincoln County and Duke Energy to support water plant expansion - Don Chamblee
15. Approval of Purchase of 2015 Volvo Roll-off Truck for Solid Waste - Don Chamblee
16. Approval of Contract for the Renovation of the Old Jail for Adult Probation - Don Chamblee
17. Approval of Contract for Demolition of Portions of 200 Gamble Drive - Don Chamblee
18. Finance Officer's Report - Scott Cook
19. County Manager's Report
20. County Commissioners' Report
21. County Attorney's Report

22. Vacancies/Appointments

23. Calendar

24. Other Business

Information Only - No Action Needed

- Register of Deeds Report

- Property Tax Collection Report

25. 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. This discussion will be concerning a lease agreement at the Airport.

Adjourn

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

**Consent Agenda:** **UPON MOTION** by Commissioner Beam, the Board voted unanimously to adopt the consent agenda removing Sponsored Group Status - New Providence Baptist Church

- Fee Waiver Request for Denver Days Special Events Series 2016

- VTS Refunds

- Approval of Minutes

- Tax Releases Over \$100 - 5/16 - 6/15/16

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

Commissioner Oakes said the New Providence Baptist Church is located in Mt. Holly and the Nesbitt Foundation, which this will benefit is in Shelby. He asked for a policy change to only allow reduced or waived fees for groups that are located in or benefit Lincoln County to be brought back to the August 15 meeting.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the request for Sponsored Group Status for New Providence Baptist Church.

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

**CUP #344-R ATOOD, LLC** (Parcel ID# 31055, 83109, 84267 and 89986) A request to renew a conditional use permit to establish a solar farm in the R-T (Transitional Residential) and R-R (Rural Residential) districts. The proposed 129-acre site is located on the west side of Mariposa Road about 1.5 miles south of Old Plank Road in Catawba Springs Township.

The Planning Board voted 9-0 to recommend approval with the following conditions: 1) That any deed transferring ownership of the property contain a covenant stating that the owner will be subject to the cost of decommissioning. 2) That the decommissioning plan be reviewed every 10 years and, if necessary, the decommissioning bond adjusted. At the applicant's request, the Board of Commissioners voted 4-0 on June 20, 2016, to table the application.

Commissioner Oakes clarified that for the record, the correct decommissioning fee bond is for a minimum of \$125,000.

Commissioner Beam asked why this item was pulled from consideration at the last meeting. He said his understanding was that it was because a full Board was not present, but there is not a full Board present tonight either.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Planning Board's recommendation and findings of fact for CUP #344 – R ATOOD, LLC with the conditions as proposed.

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

### **Henry Camp Trail**

This road is located off of Sorrells Baxter Road and requires naming due to the fact that there are going to be three (3) structures that access Sorrells Baxter Road via this private road. The Road Name Proposed is **Henry Camp Trail** 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 Henry Camp Trail. Being no speakers, she closed the public hearing.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the road name Henry Camp Trail.

### **Pioneer Trail**

This road is located off of Laboratory Road and requires naming due to the fact that there are going to be three (3) structures that access Laboratory Road via this private road. The Road Name Proposed is **Pioneer Trail** 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 Pioneer Trail. Being no speakers, she closed the public hearing.

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

**Public Hearing – Industrial Incentive Grant for Existing Industry:** Mrs. Kara Brown presented the following information for The Timken Company.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE  
GRANT AGREEMENT WITH THE TIMKEN COMPANY**

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, The Timken Company, has developed plans for expansion of their manufacturing equipment 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, The Timken Company.
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 18<sup>th</sup> day of July, 2016.

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Cecelia Martin, Chairman  
Lincoln County Board of Commissioners

ATTEST:

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Amy 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 18<sup>th</sup> day of July, 2016, by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as "the County"), and The Timken Company, an Ohio corporation (hereinafter referred to as "Timken").

WITNESSETH:

WHEREAS, Timken has developed plans for the installation of manufacturing equipment in Lincoln County, North Carolina;

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 Timken 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 July 18, 2016, Timken shall begin installation of an equipment, machinery and facility expansion in Lincoln County, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Timken shall make an investment upon such site in (building/land and/or machinery and equipment of \$1,827,000, (the expected capital investment) of which \$1,497,000 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy.
3. Within two years of the effective date of this agreement, Timken shall provide at such site at least 45 new jobs paying average weekly wages of \$820.00.
4. In consideration of the performance of the aforesaid obligations by Timken, the County will provide cash grants to Timken of \$5945.33 per year for a five-year period. Lincoln County will pay such grants beginning in the tax year after the project's completion. Grants will be paid to Timken within 30 days after Timken 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. Timken shall on a no less than annual basis provide evidence 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 Timken 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 Timken pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, 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 \$1,000.00 per job shortfall.

7. Timken 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, Timken shall indemnify and hold harmless Lincoln County and its Board of Commissioners, individually and collectively, from any loss or liability and shall reimburse Lincoln County by the amount of any such grant or payment.

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

By: \_\_\_\_\_  
President

LINCOLN COUNTY

By: \_\_\_\_\_  
Cecelia Martin, Chairman  
Board of Commissioners

ATTEST:

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Amy S. Atkins  
Clerk to the Board of Commissioners

Chair Martin opened the public hearing concerning the Industrial Incentive Grant for The Timken Company. Being no speakers, Chair Martin declared the public hearing closed.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to approve the Resolution to Adopt the Economic Incentive Grant Agreement with the Timken Company.

**Public Hearing – Industrial Incentive Grant for Existing Industry:** Mrs. Kara Brown presented the following information for Spantek.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE  
GRANT AGREEMENT WITH SPANTEK.**

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, Spantek, has developed plans for expansion of their manufacturing equipment 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, Spantek.
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 18<sup>th</sup> day of July, 2016.

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Cecelia Martin, Chairman  
Lincoln County Board of Commissioners

ATTEST:

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Amy Atkins, Clerk to the Board

**LINCOLN COUNTY INCENTIVE GRANT AGREEMENT**

**ARTICLE II.**

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 18<sup>th</sup> day of July, 2016, by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as "the County"), and Spantek, a Minnesota corporation (hereinafter referred to as "Spantek").

WITNESSETH:

WHEREAS, Spantek has developed plans for the installation of manufacturing equipment in Lincoln County, North Carolina;

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 Spantek 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 July 18, 2016, Spantek shall begin installation of an equipment, machinery and facility expansion in Lincoln County, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Spantek shall make an investment upon such site in (building/land and/or machinery and equipment of \$2,200,000, (the expected capital investment) of which \$1,540,000 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy.
3. Within two years of the effective date of this agreement, Spantek shall provide at such site at least 3 new jobs paying average weekly wages of \$500.000
4. In consideration of the performance of the aforesaid obligations by Spantek, the County will provide cash grants to Spantek of \$6,116.11 per year for a five-year period. Lincoln County will pay such grants beginning in the tax year after the project's completion. Grants will be paid to Spantek within 30 days after Spantek 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. Spantek shall on a no less than annual basis provide evidence 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 Spantek 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 Spantek pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, 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 \$1,000.00 per job shortfall.

7. Spantek 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, Spantek shall indemnify and hold harmless Lincoln County and its Board of Commissioners, individually and collectively, from any loss or liability and shall reimburse Lincoln County by the amount of any such grant or payment.

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

By: \_\_\_\_\_  
President

LINCOLN COUNTY

By: \_\_\_\_\_  
Cecelia Martin, Chairman  
Board of Commissioners

ATTEST:

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Amy S. Atkins  
Clerk to the Board of Commissioners

Chair Martin opened the public hearing concerning the Industrial Incentive Grant for Spantek. Being no speakers, Chair Martin declared the public hearing closed.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Resolution to Adopt the Economic Incentive Grant Agreement with Spantek.

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

Jerry Pender, 2545 Swanson Road, Crouse, presented a petition against trail bikes and 4wheelers that tear up their road and driveways. He asked for some police protection, but state and county officers say they cannot do anything.

Being no speakers, Chair Martin closed public comments closed.

**Lincoln County Recreation Commission's Recommendations for Duke Energy FERC Plans for Beatty's Ford Park and Little Creek Access:** Mr. John Davis, Recreation Director, introduced Travis Sinclair with Duke Energy, who presented information concerning the Duke Energy and Lincoln County Partnership.

Mr. Sinclair gave the history on Relicensing and Comprehensive Agreement. He presented the following:

**Beatty's Ford:**

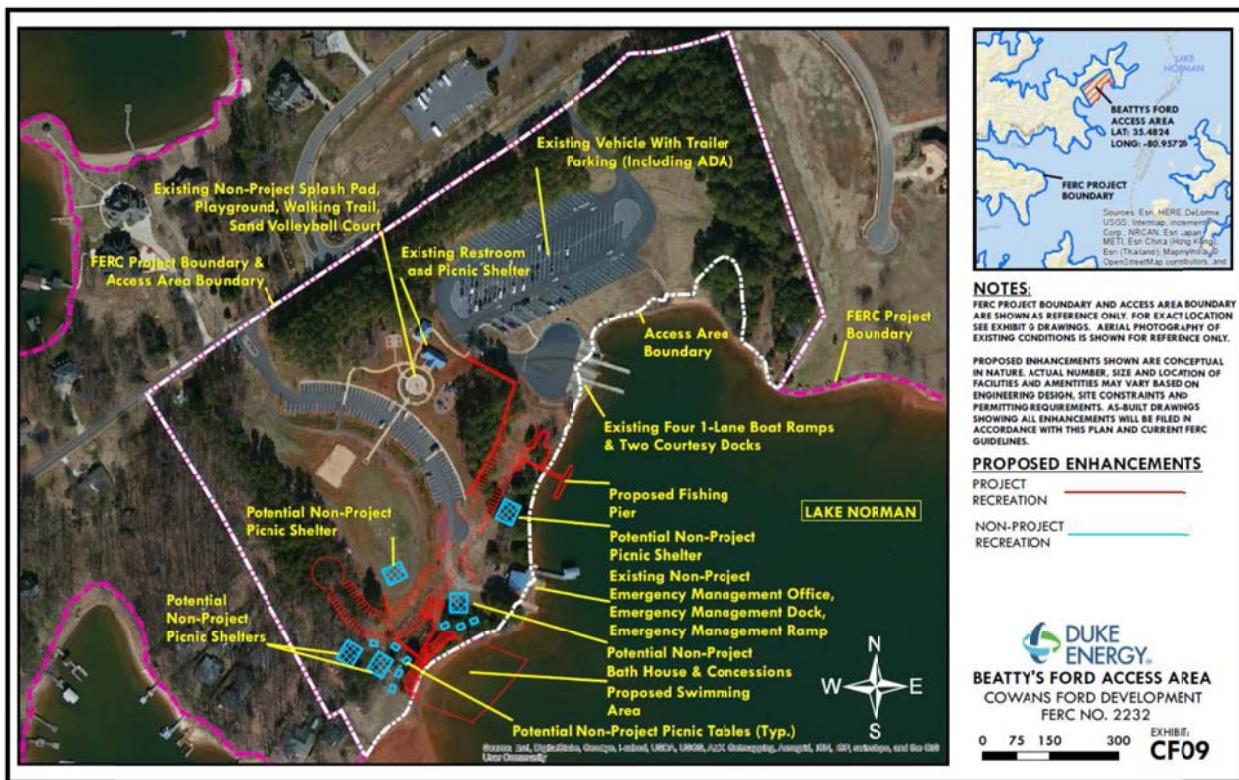
Mr. Sinclair said Beatty's Ford is 21.5 acres and is currently leased to Lincoln County until 2035. It is a cooperative partnership between Lincoln County, Duke Energy and the North Carolina Wildlife Resources Commission. Duke Energy pays the Wildlife Resources Commission to maintain the boat launch area and the parking area for the boating. Lincoln County maintains the other portion. There is a separate lease for the Emergency Management and the area where the Sheriff's Office is located.

Everything on the map in red is proposed additions. The white line shows federal boundary and anything on the property has to be sent to the federal government for approval. The blue area is proposed for Lincoln County – which gets preapproval from the federal government, but not mandated improvements.

At Beatty's Ford, improvements to be made by Duke Energy include a proposed swimming area/play beach, additional parking and a fishing pier.

Commissioner Beam asked about improving the area for Emergency Management and the Sheriff's Office. He asked Mr. Sinclair to get with Emergency Management, the Sheriff's Office, and the Firefighter's Association to see if they have any changes that should be in the plan.

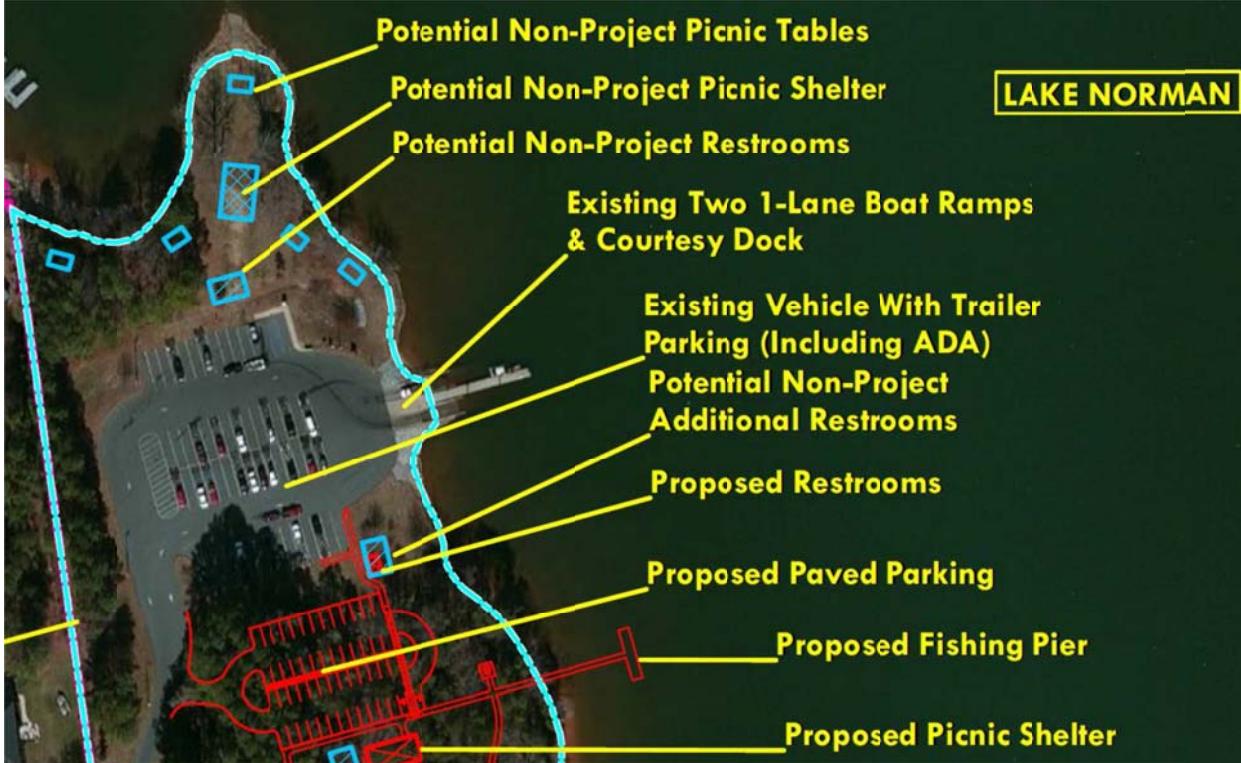
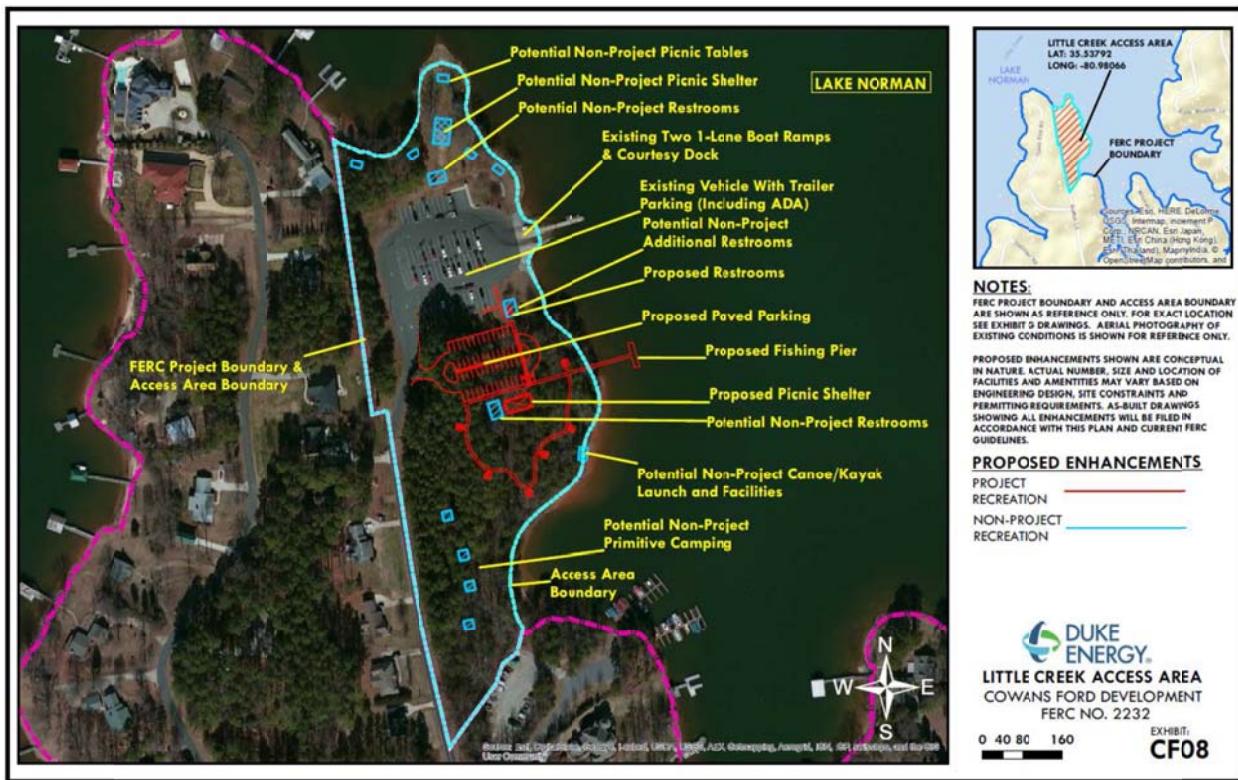
This will be built within 5 years of the approval of the plan.





### **Little Creek Access:**

Little Creek is not currently leased by Lincoln County, but during the Stakeholder meeting, it was recognized that Duke Energy would offer a lease and the county would need to approve at a later date. Everything in red is what Duke Energy would do and the things in blue are the Recreation Commission's recommendations for the County's portion.





Commissioner Patton asked what steps will be taken to make sure the traffic situation with the lake access in Cornelius does not happen at these sites.

Mr. Sinclair said Duke Energy has worked with Mr. Davis and the Recreation Commission, working 5 years or so out. He said there are a lot of lessons learned from Ramsey Creek and there is a lot of time to figure it all out and plan it carefully. He said they will work with DOT and the county to make sure this is done right.

To summarize, Mr. Sinclair said on or before November 25, 2016, Duke Energy will file the Recreation Management Plan with the Federal Energy Regulatory Commission. FERC must approve the plan before the start of any construction. Construction (Duke Energy portions): Beatty's Ford will be built within 5 years of the RMP approval. Little Creek will be built within 10 years of the RMP approval.

Mr. Wesley Deaton asked who assumes liabilities for the swimming areas. Mr. Sinclair says that this is spelled out in the lease and is the same as open space.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the recommendations of the Recreation Commission as presented.

**Agreement for Completion of Improvements: Trilogy Lake Norman (Carolina Ridge)**

**Parcel G/H Map 4:** Josh Grant presented the following information:

This is a request to approve Improvement Guarantee #67 in the form of a Surety Bond for Trilogy Lake Norman (Carolina Ridge) Parcel G/H Map 4. This bond will cover the construction of a portion of the roadways, sidewalks, and utilities infrastructure in the subject phase. The amount of the bond being presented for approval is \$381,506.20. This amount is 1.25 times the estimated costs to complete the required improvements described above. The County Attorney has reviewed the contract as presented.

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

**Tax Settlement:** Susan Sain presented the Tax Settlement and Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator.

Chapter 105-373 of the North Carolina General Statutes require that the county tax collector make an annual settlement with the governing body each year after July 1. The settlement is to be made prior to taxes for the coming year being turned over to the collector for collection.

The settlement is intended to show that all taxes have been properly accounted for and that the collector is making an honest and diligent effort to collect all taxes due to the county. Approval of the settlement by the governing board does not relieve the collector of any liability that may arise after the settlement.

The settlement report will be reviewed by the county finance officer prior to submission to the board.

After approval of the tax settlement, the Board is requested to authorize the collection of taxes for the tax year 2016-2017.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to adopt Resolution #2016 -12: A Resolution Accepting the Tax Settlement with the Lincoln County Tax Administrator and to approve the Order Directing the Tax Collector to Collect the Taxes Charged in the Tax Records and Receipts.

RESOLUTION # 2016 - \_\_\_\_\_: A RESOLUTION ACCEPTING THE TAX  
SETTLEMENT WITH THE LINCOLN COUNTY TAX ADMINISTRATOR

THAT WHEREAS, the Lincoln County Tax Administrator is charged with the collection of all real and personal property taxes for Lincoln County, the east Lincoln County Water and sewer District, the Fire Districts, and the City of Lincolnton; and

WHEREAS, NCGS 105-373 sets out a process whereby the Tax Administrator is to settle with the Board of Commissioners on an annual basis for all taxes charged for collection and those collection and remaining uncollected at year-end; and

WHEREAS, such settlement is to take place before the Tax Administrator can be charged with the collection of the next year's tax collections; and

WHEREAS, the Tax Administrator has prepared the required Settlement and submitted it to the Finance Office for Review; and

WHEREAS, the Tax Administrator has forwarded the required Settlement for approval by the Board of Commissioners;

NOW THEREFORE BE IT RESOLVED, and it is hereby RESOLVED that the Lincoln County Board of Commissioners hereby accepts and approves the Settlement of Taxes prepared by the Tax Administrator's Office, which is attached hereto and incorporated by reference into this Resolution.

Adopted this 18 day of July 2016.

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Cecelia Martin, Chair  
Lincoln County Board of Commissioners

ATTEST:

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Amy S. Atkins

**Order Directing the Tax Collector  
To Collect the Taxes Charged in the Tax Records and Receipts**

State of North Carolina

County of Lincoln

To the Tax Collector of the County of Lincoln:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Lincoln, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this \_\_\_\_\_ day of July 2016.

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Cecelia Martin, Chair

ATTEST:

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Amy S. Atkins, Clerk to the Board

**Budget Ordinance Amendment #1:** Scott Cook presented the following:

BOA #1 is amending the General Fund budget for funding to the Humane Society of Lincoln County and funding for a position in Natural Resources. This funding was requested during the budget process, but was left off of the budget ordinance. This BOA also reappropriates excess funds in the DSS budget for Special Adoption Services so that the funds can be expended in FY 17.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve Budget Ordinance Amendment #1.

**Motion to Approve Purchase of Landscape Truck for Grounds Department:** John Henry presented the following:

Grounds budgeted \$50,514 to purchase a four door cab over truck with a landscape bed for FY17. Total cost of truck and bed is \$50,399.34.

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

The old RB Cronland site was purchased to move and consolidate County field services. This bid is the interior upfit of the hardware store to accomodate Building and Grounds, Water and Sewer, TLC and Library Services.

Mr. Henry requested approval of bid and award to Moss/Marlow: Base bid plus 10% contingency \$601,920. Deduct \$14,140 for AWI Casework. Add \$12,460 for LED lighting. Add \$8,625 for data drops. Floor rehab and finish through NJPA \$130,702.86 Total \$739,567.86.

Commissioner Beam said he looks forward to cleaning up the Church Street site.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to approve the construction bid as presented by Mr. Henry.

**Approval of USDA Loan Application for Airport Business Park:** Commissioner Oakes said the USDA Loan Application is similar to applying for a mortgage and applying does not commit to borrowing the money. The USDA is a completion loan, so you do not get the money until the project is completed. The application needs to be in before October 1, 2016.

Andrew Bryant said this document has been ready for about six months. Acceptance of the loan, if approved, will be at a later time.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the USDA Loan pending final review by the County Attorney.

**Approval of Modifications of Withdrawal Agreement between Lincoln County and Duke Energy to support water plant expansion:** Don Chamblee presented the following:

Lincoln County has an existing easement and withdrawal permit for the Water Treatment Plant dated January 8, 2009. This modifies Paragraph 2 and increases the daily withdrawal from 4.0 MGD to 7.1 MGD.

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

**Approval of Purchase of 2015 Volvo Roll-off Truck for Solid Waste** - Don Chamblee presented the following:

Public Works request approval from the Board to purchase a 2015 Volvo Roll-off truck Model VHD64B200 with hoist, load restraint system and Pusher Axle (drop axle). Burke County placed a request for quotes for a rolloff truck in August 2015. Lincoln County Solid Waste requests to piggyback the quote for this truck. The additional drop axle will allow Solid Waste in assisting Public Works in disposing of sludge from the treatment plants. Total purchase price is \$165,544.84.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the purchase of the 2015 Volvo Roll-off truck for Solid Waste.

**Approval of Contract for the Renovation of the Old Jail for Adult Probation** - Don Chamblee presented the following:

Lincoln County advertised an invitation to bid for the old jail renovation construction project on May 16, 2016. Four sealed bids were received and opened on June 28, 2016 at 2:00 p.m. The low bid of \$742,000.00 plus Alternate 1 of \$5,800.00 for a total of \$747,800.00 was submitted by EVS Construction & Development, Inc. As recommended by Little Diversified Architectural Consulting, the architectural consultants for the project, Public Works is requesting approval to award the contract for construction to EVS Construction with a ten percent contingency.

**UPON MOTION** by Commissioner Beam, the Board voted unanimously to authorize the County Manager to execute a base contract with Alternate 1 and change orders as needed for construction of the old jail renovation with EVS Construction for \$747,800.00.

**Approval of Contract for Demolition of Portions of 200 Gamble Drive** - Don Chamblee presented the following:

Lincoln County advertised an invitation to bid for the Lincoln County exterior and interior demolition project on June 19, 2016. Three sealed bids were received and opened on July 7, 2016 at 2:00 p.m. The apparent low bid, containing the demolition package at \$658,200.00 and the abatement at \$127,916.00 for a total base bid of \$786,116.00, plus optional Alternate 1 of \$47,976.00 was submitted by EHG. As recommended by Little Diversified Architectural Consulting, the architectural consultants for the project, Public Works is requesting approval to award the contract for demolition and abatement to EHG of \$834,092.00 with a five percent contingency.

Commissioner Oakes asked if this will include pulverizing of this material for the Airport revines. Mr. Chamblee said they did put in it to pulverize down to 1 ½" size material and they will use what they can onsite and then look for the best options for that material. Commissioner Oakes said he would like to have that used at the Airport and if it's not he would like someone to tell him where and how it was used.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to authorize the County Manager to execute a base contract for demolition and abatement of the old hospital, optional Alternate 1 as needed, and change orders as needed for demolition and abatement with Environmental Holdings Group, LLC.

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

**County Manager's Report:** Mr. Atkins reported that Adult Probation has temporarily been relocated to the Cronland Building until the old jail site is complete. All convenience sites are now open on Sundays and a usage update will be given to the Board. Commissioner Oakes asked for more signage letting users know that the sites are open on Sunday.

Mr. Atkins said he, Commissioner Beam, and Commissioner Mitchem are planning to meet concerning their need for more space for their IT Department.

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

**County Commissioners' Report:** Commissioner Beam asked Andrew Bryant to present information concerning water/sewer and school capacity at the next public hearing for a large development. He said staff does an awesome job at compiling these facts and he wants the citizens to hear this information.

Commissioner Oakes if we have received the school's budget for bifunction code yet.

**Vacancies/Appointments:** **UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the following reappointments:

Gaston Community Action - Devonda Friday  
LEDA - Cecelia Martin  
Centralina Workforce Development Board - Panico Peres.

**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 (Airport lease agreement and discussing items with the County Attorney

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

Cecelia Martin, Chair  
Board of Commissioners