

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 17, 2016

The Lincoln County Board of County Commissioners met October 17, 2016 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

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

Commissioner Absent:

Cecelia A. Martin, Chair

Others Present:

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

Call to Order: Vice Chair Mitchem called the October 17, 2016 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence and led in the Pledge of Allegiance.

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

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, October 17, 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
- 2017 Holiday Schedule

- Resolution Supporting an Application on Behalf of Project Blade to the NC Dept of Commerce Rural Building Reuse Program
- Ordinance Declaring the Crouse Christmas Parade to be a County Sponsored Event, Including Road Closures
- Ordinance Declaring the Cat Square Christmas Parade to be a County Sponsored Event, Including Road Closures
- Approval of Minutes
- Vehicle Tax System Refunds

3. Public Hearing for Commerce Fellows Grant Closeout - Josh Grant
4. Public Hearing - FY 18 Community Transportation Grant Application (Annual process for TLC funding 15% County match)
5. Public Hearing - FY 18 Consolidated Capital Grant Application (Annual process for TLC Capital funding 10% County match)
6. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
7. Proclamation - National Friends of Libraries Week - Rebecca Powell
8. Presentation on Proposed Science Center at the Block Smith Gym Building - Edward McFadden and Marilyn Wunderler
9. Conservation Easement Presentation - Rick McSwain
10. Policy Revision to the Current Administration of Classification Pay - Candy Burgin
11. Request for the Hiring of 2 Additional Building Inspectors - Andrew Bryant
12. Performance Guarantee Application Approval - Trilogy Lake Norman (Carolina Ridge) Parcel A, Map 2) - Andrew Bryant
13. Approval to Accept Rural Gateway Library Grant in the amount of \$2,000 in FY 16-17 and \$1500 in FY 17-18 for a total of \$3500.00 - Jennifer Sackett
- 13a. Approval of Purchase of Godwin HL225M Pump for Pump Station 15 (Old Forney Creek WWTP) - Don Chamblee
14. 1. Design Build Criteria - John Henry
2. Design Build Jet Hangar
3. RFQ Exemption
15. Finance Officer's Report
 - Approval of Grant Project Ordinance #1
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

Adjourn

UPON MOTION by Commissioner Beam, 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.

- 2017 Holiday Schedule
- Resolution Supporting an Application on Behalf of Project Blade to the NC Dept of Commerce Rural Building Reuse Program
- Ordinance Declaring the Crouse Christmas Parade to be a County Sponsored Event, Including Road Closures
- Ordinance Declaring the Cat Square Christmas Parade to be a County Sponsored Event, Including Road Closures
- Approval of Minutes
- Vehicle Tax System Refunds

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

Public Hearing for Commerce Fellows Grant Closeout: Josh Grant presented the following information.

A public hearing will be conducted regarding the closeout of the 2015 Community Development Block Grant (CDBG) Commerce Fellows Training Grant 02- D-2683 for public comment. The purpose of the \$27,476.01 CDBG grant was to assist the county by engaging staff in high quality professional development and training with an emphasis on improving opportunities for low and moderate income individuals. This was offered by the UNC School of Government. All activities have been completed and CDBG funds financed 100% of the total project costs.

Six (6) County employees: Kelly Atkins, Candy Burgin, John Henry, John Davis, Laura McBryde and Joshua Grant attended various classes throughout the year at the University of

North Carolina School of Government in Chapel Hill as well as the City of Asheville. The grant paid for the course tuition, accommodations, travel and meals.

The County had no match for this grant and CDBG funds financed 100% of the total project costs. The County expended \$25,813.86 of the \$27,476.01 awarded and will be de-obligating \$1,662.15 back to the North Carolina Department of Commerce, Rural Economic Development Division.

Vice Chair Mitchem opened the public hearing concerning the Fellows Grant Closeout. Being no speakers, Vice Chair Mitchem closed the public hearing.

Public Hearing - FY 18 Community Transportation Grant Application (Annual process for TLC funding 15% County match): Ron Rombs presented the following information:

North Carolina Department of Transportation (NCDOT) administers all state and federal funds applicable to providing public transportation. Lincoln County is required to provide matching funds to support the Community Transportation Program. Matching funds are 15% of the Administrative cost.

Total NCDOT Budget	Lincoln County Matching Funds
Administrative \$207,684	15% Match \$31,153

The Administrative cost will cover the salaries and benefits for the Transportation Manager, Transportation Supervisor, Administrative Secretary and 50% of the DSS Medicaid Transportation Coordinator positions of TLC and most day to day administrative costs such as office supplies, rent and utilities.

Vice Chairman Mitchem opened the public hearing on the FY 18 Community Transportation Grant Application. Being no speakers, Vice Chairman Mitchem declared the public hearing closed.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the CTP Application in the sum of \$218,959.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Community Transportation Program Resolution – Section 5311 – FY 2018 Resolution.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Human Service Agency Transportation Resolution – State Funds – FY 2018 Resolution.

UPON MOTION by Commissioner Beam, the Board voted unanimously to approve the Resolution Authorizing the filing of applications with the North Carolina Department of Transportation – Public Transportation Division for grant years FY2018-FY2022.

FY 2018 Community Transportation Program Consolidated Capital Grant Application:

Ron Romb's presented the following:

North Carolina Department of Transportation (NCDOT) administers all state and federal funds applicable to providing public transportation. Lincoln County is required to provide matching funds to support the Community Transportation Program. Matching funds are 10% of the Capital cost.

Total NC DOT Budget	Lincoln County Matching Funds	
Capital	\$65,550	10% Match \$6,550
TOTAL	\$65,550	Match \$6,550

The consolidated capital will cover the replacement of one 20" Light Transit Vehicle (LTV), a fair box, mobile radio, and storage lockers for the new facility.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the CTP Consolidated Capital application in the sum of \$65,550.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the Resolution to apply for Consolidated Capital Projects grant funding.

Vice Chairman Mitchem opened the public hearing on FY 2018 Community Transportation Program Consolidated Capital Grant Application. Being no speakers, Vice Chairman Mitchem declared the public hearing closed.

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

Jennifer Greene thanked the Board for their support of the Lincoln Wellness Center and gave an update on their services.

Robert Avery asked for districting in the County Commission race.

Being no additional speakers, Vice Chair Mitchem closed Public Comments.

Proclamation – National Friends of Libraries Week: Rebecca Powell presented the following Proclamation for the Board's approval.

UPON MOTION by Commissioner Beam, the Board voted unanimously to approve the Proclamation for National Friends of Libraries Week.

**National Friends of Libraries Week
Proclamation**

Whereas, Friends of the Lincoln County Public Library raise money that enables our library to move from good to great – providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services;

Whereas, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that the Lincoln County Board of Commissioners proclaims October 16-22, 2016, as Friends of Libraries week in Lincoln County and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community a better place to live, work, and learn.

Presentation on Proposed Science Center at the Block Smith Gym Building – Edward McFadden and Marilyn Wunderler: Marilyn Wunderler introduced Edward McFadden, who gave a presentation on the proposed Science Center at the Block Smith Gym Building.



In March of 2012, Edward McFadden founded the STEM (Science Technology Engineering & Mathematics) Career Path Project (SCPP), a 501(c)(3) corporation that promotes STEM education through hands on activities. As of the fall of 2015, approximately 3,000 youth and young adults participate in the SCPP program on an annual basis. Their mission is to provide STEM career education and development to youth and young adults so that they may pursue careers in STEM fields.

According to recent statistics by the United States Department of Commerce:

- STEM occupations are projected to grow by 17.0 percent from 2008 to 2018, compared to 9.8 percent growth for non- STEM occupations.
- STEM workers command higher wages, earning 26 percent more than their non-STEM counterparts.
- More than two-thirds of STEM workers have at least a college degree, compared to less than one-third of non-STEM workers.

Mr. McFadden asked the County to join us in their dedicated efforts to enhance STEM education for schools and communities throughout Lincoln County by supporting our plans for a STEM museum. He asked for a workshop to share the details of their project with County Commissioners.

The Board asked for the STEM Group to have a meeting with 2 Commissioners (Commissioner Beam and Commissioner Oakes) to discuss further.

Conservation Easement Presentation: Rick McSwain gave a presentation on Conservation Easement.

Why preserve the farming, forestry, and horticulture industry in North Carolina?

- Agriculture and Agribusiness Economic Importance.
 - Accounts for one-sixth of the state's economy and employees. Accounts for more than 17 percent, or \$84 billion, of the \$482 billion gross state product.
- Agriculture is a compatible industry with the military and military training, which is second in economic importance in the state.
- Provides scenic rural landscapes for tourism, the third largest economic sector in North Carolina.
- Farms and forests are critical in providing a healthy environment.

In the last 10 years, North Carolina has lost 4,600 farms, an 8% decrease. In addition, land in farms has decreased by 6.5%, a total loss of 600,000 acres. Agriculture makes up 17% of the state's income and employs 17% of the workforce. Farmlands also make up an integral part of our open space, wildlife habitat, and ground water recharge areas. These environmental services are an essential part of our quality of life as citizens of North Carolina.

LINCOLN COUNTY					
Census of Agriculture - 2012		Crops - 2014	Acres Harvested	Yield	Production
Total Acres in County	190,683	Corn for Grain: Bu.	1,300	134	148,000
Number of Farms	65 ¹⁴	Cotton: Lbs: Production in 480 Lb. Bales	*	*	*
Total Land in Farms, Acres	55,570	Hay, Other: Tons	1,200	2.00	22,400
Average Farm Size, Acres	85	Peanuts: Lbs.	*	*	*
Harvested Cropland, Acres	23,49	Soybeans: Bu.	7,200	36	258,000
Average Age of Farmers	58.7	Sweet Potatoes: Owt.	*	*	*
Average Value of Farm & Buildings	\$309,596,000	Tobacco, Burley: Lbs.	*	*	*
Average Market Value of Machinery & Equipment	\$35,835,000	Tobacco, Flue-Cured: Lbs.	*	*	*
Average Total Farm Production Expense	\$79,308	Wheat: Bu.	4,700	512	240,000
Livestock					
Number					
Broilers Produced (2014)					7,650,000
Cattle, All (Jan. 1 2015)					13,500
Beef Cows (Jan. 1 2015)					4,000
Milk Cows (Jan. 1 2015)					2,900
Hogs and Pigs (Dec. 1 2014)					400
Layers (Dec. 1 2014)					3,300
Turkeys Raised (2014)					*
Cash Receipts - 2014					
Dollars					
Livestock, Dairy and Poultry					60,649,727
Crops					7,463,977
Government Payments					225,596
Total					68,339,300
					55

What is a conservation easement?

A conservation easement is a written agreement between a landowner and a qualified conservation organization or public agency (grantee) in which the landowner promises to keep the land for agricultural purposes and the grantee is granted the right to enforce the covenants of the agreement and to monitor the property.

Can you tell me more about conservation easements?

- The conservation easement is recorded on the land deed.
- The land remains in private ownership and may be used for agricultural production.
- The landowner is responsible for land maintenance and continues to pay property taxes at the agricultural (present-use value) rate.
- The development rights removed from the land are conveyed to a local non-profit conservation organization or a county government.
- A copy of the deed is filed with the North Carolina State Property Office.
- Monitoring of the property begins the year after the conservation easement is recorded on the land deed and continues for the length of the conservation easement

What rights are removed from the property by the conservation easement? What rights remain on the property?

A conservation easement simply removes the development rights from the land parcel. Other rights, such as water rights, hunting rights, farming rights, mineral rights, and timber rights, remain on the property.

Potential Funding Sources for Purchasing Easements

The History of the ADFP Trust Fund

In March 2005, Agriculture Commissioner Steve Troxler delivered his "Agricultural Development and Farmland Preservation Strategy" to the General Assembly as a State priority. During 2005 legislative session, the General Assembly passed [House Bill 607](#) establishing the Agricultural Development and Farmland Preservation Trust Fund.

There are 13 Soil & Water Conservation Districts with conservation easements that have closed. These easements cover 3,958.611 acres.

A county that is an enterprise tier four county or an enterprise tier five county, as these tiers are defined in G.S. 105-129.3(a), and that has prepared a countywide farmland protection plan shall match fifteen percent (15%) of the Trust Fund monies it receives with county funds. A county that has not prepared a countywide farmland protection plan shall match thirty percent (30%) of the Trust Fund monies it receives with county funds.

The fifteen percent (15%) county match can come from the following:

- Landowner contribution
- In-kind services
- Other grant monies

The Agricultural Conservation Easement Program (ACEP) provides financial and technical assistance to help conserve agricultural lands and wetlands and their related benefits. ACEP consolidates Farm and Ranch Land Protection Program (FRPP), Grassland Reserve Program (GRP) and Wetland Reserve Program (WRP) into one program. There are two components to ACEP. Under the Agricultural Land Easements (ALE) component, NRCS helps Indian tribes, state and local governments and non-governmental organizations protect working agricultural lands and limit non-agricultural uses of the land. Under the Wetlands Reserve Easements (WRE) component, NRCS helps to restore, protect and enhance enrolled wetlands.

What the Soil & Water Conservation District is seeking from the County?

1. Support from Lincoln County for the Soil & Water Conservation District to be the administering authority of conservation easements in Lincoln County with a written agreement between Lincoln County and the LCSWCD to use the county's DUN's and SAM numbers for transparent financial transactions.
2. To have the ability to use the resources of the hired county attorney for drafting required policies for the procurement of such easements.
 - Agreement b/w Lincoln County and LCSWCD (as stated in item #1)
 - Appraisal policy
 - Title Review Policy
 - Stewardship and Monitoring Policy
 - Written Pending Offer Template between LCSWCD and the potential landowner

UPON MOTION by Commissioner Beam, the Board voted unanimously to approve the partnership with Soil and Water to set forth on the Conservation Easements as presented.

Policy Revision to the Current Administration of Classification Pay: Candy Burgin presented a policy revision to the current administration of the Classification Pay Plan which will allow the County Manager to approve reclassification requests recommended by the Human Resource Director.

UPON MOTION by Commissioner Beam, the Board voted unanimously to adopt Resolution #2016-19: A Resolution Amending the Lincoln County Personnel Policy Regarding Classification Plan as presented by Mrs. Burgin.

RESOLUTION #2016-19: A RESOLUTION AMENDING THE LINCOLN COUNTY PERSONNEL POLICY REGARDING CLASSIFICATION PLAN

THAT WHEREAS, the Lincoln County Personnel Policy adopted by Resolution of the Board of Commissioners in 2005 and made effective September 1, 2005, contains provisions regulating the responsibility of the County Manager.

WHEREAS, the County Manager shall have authority to approve reclassification requests recommended by the Human Resource Director; and

NOW THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners as follows:

1. That Section 3 of the Article II of the Lincoln County Personnel Policy is hereby amended by deleting the existing language in its entirety, and substituting the following language in its place:

SEE EXHIBIT “A”

That this Resolution shall become effective immediately upon its adoption.
Adopted this the 17th day of October, 2016.

LINCOLN COUNTY

Cecelia A. Driscoll, Chairman
Board of Commissioners

ATTEST:

Amy Atkins
Clerk of the Board of Commissioners

EXHIBIT “A”

ARTICLE II. CLASSIFICATION PLAN

Section 3. Administration of Classification Plan

ARTICLE II. CLASSIFICATION PLAN

Section 3. Administration of Classification Plan

~~A. The County Manager shall be responsible for the administration and maintenance of the Position Classification Plan, and shall recommend to the Board of County Commissioners amendments to the Classification Plan as may be necessary to ensure it accurately reflects the duties performed by employees.~~

~~B. Department directors are responsible for providing written notification to the Personnel Director of the need for new positions and/or material changes in the nature of duties, responsibilities, working conditions, or other factors affecting the classification of any position.~~

The County Manager shall be responsible for administration and maintenance of the position classification plan adopted in this article. Department Directors shall be responsible for bringing to the attention of the Human Resources Director any material changes in the nature of the duties, responsibilities, working conditions, or other factors affecting the classification of any existing position. Following the receipt of such information, the Human Resources Director shall study the position and report findings and recommendations to the county manager.

New positions shall be established upon recommendation of the County Manager with the approval of the Board of Commissioners. The County Manager may:

- Assign the new position to the appropriate class within the existing classification plan or
- Establish a new class to which the new position may be assigned, amending the position classification plan accordingly.

If the County Manager finds that a substantial change has occurred in the duties and responsibilities of an existing position, he shall direct that the existing position description be revised, reallocate the position to an appropriate class and pay within an existing classification plan, or establish a new class and pay to which the position shall be assigned. The County Manager shall have authority to approve reclassification requests recommended by the Human Resource Director.

Request to Hire 2 Additional Building Inspectors: Andrew Bryant, Director of Planning and Inspections, said increased permitting volume has led to a daily inspection load that current staff

of nine building inspectors is having a hard time managing the quality of inspections while maintaining the quality level they strive for as a department. He asked for approval of two positions, one to be hired immediately and the other within 60 days.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the hiring of 2 additional Building Inspectors as presented by Mr. Bryant.

Performance Guarantee Application Approval – Trilogy Lake Norman (Carolina Ridge)

Parcel A, Map 2: Andrew Bryant presented the Performance Guarantee Application Approval for Trilogy Lake Norman (Carolina Ridge) Parcel A, Map 2 for the Board's approval.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve presented the Performance Guarantee Application as presented.

Approval to Accept Rural Gateway Library Grant in the amount of \$2,000 in FY 16-17 and \$1500 in FY 17-18 for a total of \$3500.00 – Jennifer Sackett presented the following:

This grant is awarded to rural public libraries who are interested in providing STEM (Science, Technology, Engineering and Mathematics) programing for adults. The West Lincoln Branch Library was selected to participate in the project. The library will receive \$2000.00 in fiscal year 2016-2017 and will receive another \$1500.00 in fiscal year 2017-2018. The library will use these funds to develop, market and buy materials for STEM programs for adults. This grant does not have a required match.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve acceptance of a Rural Gateway Library Grant in the amount of \$2,000 in FY 16-17 and \$1500 in FY 17-18 as presented.

Approval of Purchase of Godwin HL225M Pump for Pump Station 15 (Old Forney Creek

WWTP): Don Chamblee presented a request for the purchase of a Godwin HL225M Pump using GSA pricing for \$149,513.00 plus shipping and tax. The addition of a temporary diesel by pass pump at Pump Station 15 will allow the station to have a reserve capacity needed until the new pump station is completed. This can also be converted to a permanent pump station installation after completion of the new pump station.

Commissioner Oakes asked about the vacant Engineer position in the Public Works Department. Mr. Chamblee said there have not currently been any qualified applicants due to low salary. The consensus was that the salary could be brought back before the Board to be adjusted.

UPON MOTION by Commissioner Beam, the Board voted unanimously to approve the purchase of the Godwin HL 225 M Pump for Pump Station 15 (Old Forney Creek WWTP).

Design Build Criteria: John Henry asked the Board to approve the Design-build criteria for use on future County construction projects. In accordance with NCGS 143.218.1A regarding the addition of design-build delivery method for construction projects, the Purchasing Department is

submitting for approval, the criteria that the County must establish to utilize this method of delivery.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the Design Build Criteria.

Explanation: The design-build method is an integrated approach to a construction project that delivers both design (architectural and engineering) and construction services under one contract with a single point of responsibility. Under this project delivery method, the public owner is provided the benefit of the design team and contractor working together to achieve the public owner's objectives under a single contract. The designer works directly with the contractor instead of for the owner.

In accordance with N.C.G.S. 143-218.1A regarding the addition of design-build delivery method for construction projects, the Purchasing Department is submitting, for approval, the criteria that the County must establish to utilize this method of delivery.

Part 1: Establishment of Criteria: The first step in the process for utilizing the design-build delivery method is that a governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method appropriate for a project. The criteria proposed are the following:

Criteria for Determining Whether the Design-Build Delivery Method is Appropriate for a Project
(Criteria 1) The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications (RFQ) for a design-build.

In considering whether to use the design-build method, the Board of Commissioners should consider whether the County has professional personnel that are both qualified and experienced to thoroughly define the project requirements prior to issuance of a request for qualifications for a design-builder. Consideration will be given to the qualifications and experience of the personnel in Building and Grounds, County Management, Planning, Public Works and Purchasing and the availability of professional personnel in the areas of finance and legal to assist in the development of an RFQ. If the County does in fact have the requisite personnel, then it must be able to utilize the personnel to clearly and in writing define the project requirements prior to the issuance of an RFQ. The project requirements must be written clearly enough that the Board of Commissioners can review the requirements and understand the same in order to determine whether a particular project is best suited for the Design-Build Delivery Method. The written project requirements should state why, in the personnel's opinion, the particular project is best suited for the Design-Build Delivery Method rather than some other method of delivery.

(Criteria 2) The time constraints for the delivery of the project.

If the County does in fact have the requisite personnel, then it must be able to utilize the personnel to clearly and in writing define the project requirements prior to the issuance of an RFQ. The project requirements must be written clearly enough that the Board of Commissioners can review the requirements and understand the same in order to determine whether a particular project is best suited for the Design-Build Delivery Method. The written project requirements should state why, in the personnel's opinion, the particular project is best suited for the Design-Build Delivery Method rather than some other method of delivery.

(Criteria 3) The ability to ensure that a quality project can be delivered.

In considering whether to use the design-build method, the Board of Commissioners should consider whether the County can ensure that a quality project can be delivered. Specifically, the County should

determine that it has professional and experienced personnel sufficiently qualified to ensure that the design-build firm will provide a quality project within the budget constraints established by the Board. Consideration will be given to the qualifications and experience of the personnel in Building and Grounds, County Management, Planning, Public Works and Purchasing.

(Criteria 4) The capability of the County to manage and oversee the project, including the availability of experienced staff or outside consultant who are experienced with the design-build method of project delivery.

In considering whether to use the design-build method, the Board of Commissioners should consider the capability of the County to manage and oversee the project. It should consider whether the County has professional and experienced personnel who are knowledgeable of design-build projects or, in the alternative, experienced consultants local to Lincoln County who are available to be retained to perform the construction management of a design-build contract.

(Criteria 5) A good faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities.

In considering whether to use the design-build method, the Board of Commissioners should determine that, for the project, requirements will be imposed which ensure that contractors will comply with the MWBE goals set by the Board, and that good faith efforts will be made to comply with N.C.G.S. §143-128.2 and N.C.G.S. §143-128.4, and to recruit and select small business entities.

(Criteria 6) The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified.

The appropriate selection of projects for Design-Build is extremely important. Typically, Design-Build projects may be considered if they fall within at least one of the following broad categories:

- Projects where design and construction need to be expedited for the public good or to capitalize on advanced or specific funding opportunities.
- Emergency Projects.
- Projects with complex constructability issues.
- Projects affording opportunities for economic development.
- Projects that do not lend themselves to normal design-bid-build procedures.

The criteria utilized by the County when considering a design-build delivery method for a project will be as follows:

- Is the project well defined and does it include qualitative and quantitative characteristics that make a design-build contract more appropriate than other methods of delivery?
- Is the project timeline overly constrained and will it be necessary to have the facility complete and operational within a short timeframe?
- Will it be necessary to have beneficial use of a portion of the facility while it is under construction?
- Given the scope of the project, is there a maximum budget that must be adhered to in order to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses?
- Does the design-build delivery method meet the ultimate operational goals established for a given facility and the quality of product achieved as a result of a more fluid and flexible delivery method?

In general terms, if it is determined that the expected expense of a design-build project will be equal to or less than the expected expense of a traditional RFQ, study, design, bid and construction project, the design-build method may be utilized.

Design Build Jet Hangar: John Henry said this is a request to use the Design Build method for an Airport Jet Hangar. The Airport has a client with an expected delivery of a \$62 million jet that they would like to house at the Lincoln County Airport. This is an unbudgeted construction project and the money, approximately \$1.3 million for the hangar would come out of the Fund Balance.

Commissioner Mitchem spoke against this request.

UPON MOTION by Commissioner Oakes, the Board voted 3 – 1 (Mitchem against) to approve issuing the bid, but not awarding the contract until a lease has been signed.

RFQ Exemption: John Henry presented a request to approve an exemption from the RFQ process for engineering consulting services for the Airport Jet Hangar per GS 143-64.32(a)(1): Proposed project has an estimated professional fee in an amount less than fifty thousand dollars (\$50,000) NCGS 143-128 1A allows a local government to hire an outside consultant to assist with defining a quality project and ensuring that a quality project is delivered.

UPON MOTION by Commissioner Patton, the Board voted unanimously to approve the Exemption from the RFQ process for engineering consulting services for the Airport Jet Hangar

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

Approval of Grant Project Ordinance #1: **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve Grant Project Ordinance #1.

County Manager's Report: Mr. Atkins stated that the Webbs Convenience Sites will be accepting televisions and monitors on Saturdays. That way the residents do not have to drive to the landfill. They will have to pay the \$10 fee by cash or debit.

He announced the hiring of Tabitha Thomas for the Senior Services Director, which was vacated with the retirement of Marty Hovis.

Mr. Atkins reported back to the Board on term limits for appointed boards, committees, and commissions. He said they are still researching and will bring back a proposal.

County Attorney's Report: Nothing reported.

County Commissioners' Report: Nothing reported

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. (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or

(ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Vice Chair Mitchem announced 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