

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 21, 2017

The Lincoln County Board of County Commissioners met August 21, 2017 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Bill Beam, Chair
Martin Oakes, Vice Chair
Carrol Mitchem
Richard Permenter
Anita McCall

Others Present:

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

Call to Order: Chairman Beam called the August 21, 2017 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence, asking everyone to remember Ron Rombs and his family in the loss of his mother, and led in the Pledge of Allegiance.

Adoption of Agenda: Chairman Beam presented the agenda for the Board's approval.

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, August 21, 2017
6:30 PM

James W. Warren Citizens Center
115 West Main Street
Lincolnton, North Carolina

- Call to Order - Chairman Bill Beam
- Moment of Silence
- Pledge of Allegiance
- 1. Adoption of Agenda
- 2. Consent Agenda

1. Approval of Minutes
2. Surplus Property
3. Waived fees for Cultural Center "Dancing with the Stars"
4. Special Event Fee Waiver - ELBA Denver Christmas Parade
5. Waived fees for Lincoln Theatre Guild
3. Planning Board Recommendations - Randy Hawkins
4. Performance Guarantee for Rock Creek Phase 1 - Jeremiah Combs
5. Performance Guarantee Extensions for Trilogy Lake Norman (Carolina Ridge) - Jeremiah Combs
6. Apple Festival Committee Update - Carole Howell
7. Partners/Lincoln Wellness Center Update - Andrew Schrag and Peg Brantley
8. Approval of Tax Settlement for tax year 2016-2017 - Susan Sain
9. Approval of EMS Purchases - Ron Rombs
 - Request for Purchase of 4 LUCUS Chest Compression Systems
 - Request for Purchase of ALSi Simulator System
 - Request for purchase of 3 Ambulance Remounts
 - Request for purchase of 20 replacement Stryker Power Pro Stretchers
10. Approval of Purchase of a 2018 Mack Roll-off Truck and request to apply for a grant to assist with the purchase - Don Chamblee
11. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
12. Budget Ordinance Amendment #1 - Deanna Rios
13. Presentation of Certificate of Achievement for Excellence in Financial Reporting for FY 2016 - Deanna Rios
14. Finance Officer's Report - Deanna Rios
15. County Manager's Report
16. County Commissioners' Report
17. County Attorney's Report
18. Vacancies/Appointments
19. Calendar
20. Other Business

Information Only - No Action Needed

- Register of Deeds Report
- Property Tax Collection Report

Adjourn

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve the agenda as submitted.

Consent Agenda: Kelly Atkins gave an overview of the Consent Agenda items:

Consent Agenda

1. Approval of Minutes
2. Surplus Property
3. Waived fees for Cultural Center "Dancing with the Stars"
4. Special Event Fee Waiver - ELBA Denver Christmas Parade
5. Waived fees for Lincoln Theatre Guild

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve the Consent Agenda.

Planning Board Recommendations - Randy Hawkins presented the following:

CUP #367 Matt Sorensen, applicant:

A request for a conditional use permit to allow a private residential storage building (a garage) to be built on a lot in the R-SF (Residential Single Family) district prior to the construction of a house. The request involves a 1.4-acre parcel located off Osprey Trail about 400 feet south of the intersection of Campground Road and Catawba-Burris Road in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

Commissioner Oakes expressed concerns about allowing the storage unit to be built without plans for a house. He suggested adding a condition that a complete building permit for a house must be of in place in 3 years or storage building be removed. Commissioner Permenter spoke concerning the UDO and language that storage buildings are not allowed without a home on the site. He agreed with Commissioner Oakes, but said plans should be submitted with a year.

Mr. Hawkins said this use would be allowed on a lot greater than 2 acres with no permit.

AMOTION by Commissioner Oakes to approve findings of fact for CUP #367- Matt Sorensen, applicant, as submitted by the Planning Board, adding the condition that a complete building permit package shall be submitted within 3 years and the permit must remain valid, violation will require removal of accessory building.

VOTE: 2 – 3 AYES: Permenter, Oakes
NOES: Beam, Mitchem, McCall

A MOTION by Commissioner Mitchem to approve findings of fact for CUP #367- Matt Sorensen, applicant, as submitted by the Planning Board.

VOTE: 3 – 2 AYES: Beam, Mitchem, McCall

NOES: Permenter, Oakes

UPON MOTION by Commissioner Mitchem, the Board voted 4- 1 (Oakes against) to approve CUP #367 – Matt Sorensen, applicant, as recommended by the Planning Board

CUP #369 Kimberly Snipes, applicant

A request for a conditional use permit to place a storage building in front of the front building line of a house on a lot that's adjacent to Lake Norman. The 0.84-acre lot is located at 4384 Pine Harbor Drive, about 400 feet east of Windy Pine Circle, in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve findings of fact for CUP #369- Kimberly Snipes, applicant, as submitted by the Planning Board.

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve CUP #369 – Kimberly Snipes, applicant, as recommended by the Planning Board

ZMA #637 Kenneth Tucker, applicant:

A request to rezone 10.5 acres from R-SF (Residential Single Family) to R-T (Transitional Residential). The property is located on the north side of Mundy Road and east side of N.C. 16 bypass in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the Statement of Consistency and Reasonableness for ZMA #637- Kenneth Tucker, applicant, as submitted by the Planning Board.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve ZMA #637 – Kenneth Tucker, applicant, as recommended by the Planning Board.

Performance Guarantee for Rock Creek Phase 1: **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Performance Guarantee for Rock Creek Phase 1.

Performance Guarantee Extensions for Trilogy Lake Norman (Carolina Ridge): Andrew Bryant presented the following:

Before you is a request to extend Improvement Guarantee #68 for Trilogy Lake Norman (Carolina Ridge) Parcel F. This bond will cover the construction of the roadways, sidewalks, and utilities infrastructure in the subject phase. The amount of the bond being presented for approval is \$1,183,168.49. 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 Mitchem, the Board voted unanimously to approve the Performance Guarantee #68 for Trilogy Lake Norman (Carolina Ridge).

Before you is a request to extend Improvement Guarantee #69 for Phase Two (2) of Exploration Boulevard in the Trilogy Lake Norman (Carolina Ridge) subdivision. This bond will cover the construction of the roadways, sidewalks, and stormwater infrastructure in the subject phase. The amount of the bond 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 Oakes, the Board voted unanimously to approve the Performance Guarantee #69 for Trilogy Lake Norman (Carolina Ridge).

Apple Festival Committee Update: Carole Howell presented the Board with 2017 Apple Festival tee shirts and invited everyone to come to the Festival.

John Dancoff presented the Board with information on the LEDA Job Fair and Destination Innovation exhibit at the First Federal parking lot on Main Street. This will be held the day of the Apple Festival to showcase the industries that are in Lincoln County and attract potential employees.

Partners/Lincoln Wellness Center Update - Andrew Schrag and Peg Brantley gave an update on Partners and the Lincoln Wellness Center in Lincoln County. Included in the update were the story of the Lincoln Wellness Center, providers and services, funding, awareness and the outcomes, including a 157% increase in walk in traffic.

Approval of Tax Settlement for tax year 2016-2017 - Susan Sain, Tax Administrator, said that 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 2017-2018.

RESOLUTION # 2017 - _____: 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 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 collected 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 Officer 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 21 day of August 2017.

Bill Beam, Chair
Lincoln County Board of Commissioners

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the Resolution as presented.

Approval of EMS Purchases: - Ron Rombs presented the following information:

Request for Purchase of 4 LUCUS Chest Compression Systems:

Mr. Ron Rombs presented a request to purchase four LUCUS Chest Compression systems by sole source purchase based on availability from only one manufacturer. Funds for this purchase were budgeted and the total amount of this purchase is \$58,942.00.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the purchase of 4 LUCUS Chest Compression Systems as presented.

Request for Purchase of ALSi Simulator System:

Ron Rombs presented a request for 5 an ALSi Simulator System. This simulation software meets the newly adopted standard for scope of practice skills station evaluations for medical professionals. This purchase will be a sole source purchase based on availability from only one manufacturer. Funds were budgeted and the total amount of the purchase is \$7990.00

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the purchase of the ALSi Simulator System as presented.

Request for purchase of 3 Ambulance Remounts:

Ron Rombs presented a request for the purchase of three remount Type III GMC Cutaway Chassis. The purchase shall be from the HGAC Cooperative Purchasing Contract. These units will be equipped with newly required environmental temperature controlled units for medication storage and includes an upgrade for a new stretcher mounting system. The old chassis will be traded in on these.

These units will be identical to the rest of the fleet and will replace three of the aging apparatus. These ambulances will be purchases from Northwestern Emergency Vehicles.

Funds for this purchase were budgeted and the total amount of the purchase is \$268,533 (\$89,511 each).

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the purchase of 3 ambulance remounts as presented.

Request for purchase of 20 replacement Stryker Power Pro Stretchers:

Ron Rombs presented a request to purchase 20 Stryker Power Pro XT stretchers with Performance Load Systems. Lincoln County EMS currently utilizes the Stryker Power Pro stretchers, however the current stretchers have reached their end of life and must be replaced. These stretchers have served the county very well and the new lease/purchase program gives 7 years of maintenance and replacement batteries (approximately \$175,000 savings over the seven

year period). The lease/purchase plan is a 5 year payment plan with a \$1.00 buy-out at the end of the contract. The funds are budgeted and the total amount of the purchase is \$458,554.40.

UPON MOTION by Commissioner Oakes, the Board voted unanimously to approve the purchase of 20 replacement Stryker Power Pro Stretchers as presented.

Approval of Purchase of a 2018 Mack Roll-off Truck and request to apply for a grant to assist with the purchase: Don Chamblee presented the following information:

Public Works is requesting approval to purchase a 2018 Mack Roll Off Truck. This will replace a 2005 Volvo Roll-off Truck that is in need of extensive repairs. The roll off is being purchased under NC DOT Statewide Term Contract 070J - 50,000 GVWR Cab & Chassis Dump Trucks. Solid Waste is also applying for a grant to cover a portion of this purchase through the Mecklenburg County Air Quality Grants to Replace Aging Diesel Engines (GRADE) program. The program is intended to compensate for a portion of the cost to replace older heavy-duty on-and off-road vehicles with newer, cleaner vehicles and equipment. The grant would provide \$42,370.04 in funding.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the purchase of the 2018 Mack Roll-off Truck as presented.

Public Comments: Chairman Beam opened Public Comments.

Rudy Bauer, 8252 Blades Trail, spoke concerning the bond for Covington, runoff, and catch basins.

Being no additional speakers, Chairman Beam closed Public Comments.

Project Updates: Don Chamblee and John Henry gave an update on ongoing county projects.

Approval of Budget Ordinance Amendment #1: **UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve Budget Ordinance Amendment #1.

Presentation of Certificate of Achievement for Excellence in Financial Reporting for FY 2016: Deanna Rios presented the Certificate of Achievement for Excellence in Financial Reporting for FY 2016.

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

County Manager's Report: Mr. Kelly Atkins informed the Board that the Empty the Shelter event was this past Saturday, which was attended by more than 300 people and over 60 animals were adopted. He thanked everyone involved with this event.

County Attorney's Report: Charlie Lane said there was nothing to report.

County Commissioners' Report: Commissioner McCall reported on the recent NCACC conference she attended.

Vacancies/Appointments: None reported

Closed Session: **UPON MOTION** by Commissioner Mitchem, the Board entered Closed Session to discuss property acquisition and a matter at the Lincoln County Airport.

The Board returned to open session and Chairman Beam advised that no action was taken in Closed Session.

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

Amy S. Atkins, Clerk
Board of Commissioners

Bill Beam, Chairman
Board of Commissioners