

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 28, 2019**

The Lincoln County Board of County Commissioners met on January 28, 2019, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

**Commissioners Present:**

Carrol Mitchem, Chair  
Richard Permenter, Vice Chair  
Anita McCall  
Milton Sigmon  
Bud Cesena

**Others Present:**

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

**Call to Order:** Chairman Mitchem called the January 28, 2019 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:** Chairman Mitchem presented the agenda for the Board's approval.

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, January 28, 2019**  
**6:30 PM**

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

- Call to Order - Chairman Carrol Mitchem
- Moment of Silence
- Pledge of Allegiance
- 1. Adoption of Agenda
- 2. Consent Agenda
  - 1. Tax Requests for Releases

2. Tax Request for Refunds
3. VTS Refunds
4. Sponsored Group Status - Chamber of Commerce
5. Minutes for Approval – January 7, 2019
6. Resolution #2019-1: Resolution to NCDOT Concerning Secondary Road System
3. Planning Board Recommendations - Randy Hawkins
4. Performance Guarantee Extension for Mariners Pointe at Smithstone Phase 2 - Roadways - Jeremiah Combs
5. Performance Guarantee Extension for Rock Creek Subdivision Off-Site Sewer Improvements- Jeremiah Combs
6. Medical Plan Update - Mark Browder, Mark III Employee Benefits
7. Audit Presentation - Deanna Rios
8. Carolina Land and Lakes RC&D Update - Melissa Patton
9. Public Comments
10. Renewal of Odor and Corrosion Control with Evoqua Water Technologies - Don Chamblee
11. Approval of Contract with Woolpert for \$636,782.00 for Engineering Services for a Transmission Line from the Water Treatment Plant to the Optimist Club Water Tank - Don Chamblee
12. Approval of an Application for a NCDEQ CWRAR Grant for \$20,000 for Recycling Compactor Expenses for the new Optimist Club Road Convenience Site - Don Chamblee
13. Budget Ordinance Amendment #5 - Deanna Rios
14. Capital Project Ordinance Amendment #3 - Deanna Rios
15. Finance Officer's Report - Deanna Rios
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

Adjourn

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

**Consent Agenda:** **UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve the Consent Agenda.

Consent Agenda

1. Tax Requests for Releases
2. Tax Request for Refunds
3. VTS Refunds
4. Sponsored Group Status - Chamber of Commerce
5. Minutes for Approval – January 7, 2019
6. Resolution #2019-1: Resolution to NCDOT Concerning Secondary Road System

**Planning Board recommendations:** Randy Hawkins presented the following:

**CUP #392 Kurt Koch, applicant** (Parcel ID# 30605) A request for a conditional use permit to allow a detached garage to extend past the front building line of a house on a lot adjacent to Lake Norman. The 0.8-acre parcel is located at 8088 McConnell Road in Catawba Springs Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve the findings of fact as submitted by the Planning Board.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to approve CUP #392 –Kurt Koch, applicant based on the findings of fact approved by the Planning Board

**ZMA #656 Gene Hedgpeth, applicant** (Parcel ID# 93671) A request to rezone 4.8 acres from R-SF (Residential Single-Family) to R-T (Transitional Residential). The property is located on the west side of Daniels Road and south side of Zeb Johnson Trail in Howards Creek Township.

**The Planning Board voted 5-0 to recommend approval.**

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve the statement of consistency and reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve ZMA #656 – Gene Hedgpeth, applicant based on the recommended by the Planning Board.

**Performance Guarantee Extension for Mariners Pointe at Smithstone Phase 2 - Roadways** - Jeremiah Combs presented the Performance Guarantee Extension Application for Mariners Pointe at Smithstone Phase 2.

**UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to approve the Performance Guarantee Extension Application for Mariners Pointe at Smithstone Phase 2.

**Performance Guarantee Extension for Rock Creek Subdivision Off-Site Sewer Improvements** - Jeremiah Combs presented the Performance Guarantee Extension Application for Mariners Pointe at Smithstone Phase 2.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the Performance Guarantee Extension for Rock Creek Subdivision Off-Site Sewer Improvements

**Medical Plan Update - Mark Browder, Mark III Employee Benefits** – Mark Browder with Mark III Employee Benefits, presented the following:

Due to a significant increase in claims in 2018-19, they are looking at a 12.68% increase. The county is in good position from a reserve point of view. After looking at different options, the PPO pharmacy deductible will be increased to \$200 for the 19-20 renewal year, with \$600,000 used from reserves, which will be a 8.49% increase. Mr. Browder said there has been a significant increase in dependent costs and he is recommending a dependent eligibility audit.

The Plan recommendation for 2019-20 is Option 2, which is a 8.49% increase. The recommendation includes using \$600,000 reserve fund with \$665,442 additional expense, with Employee PPO pharmacy deductible increasing to \$200 (up from \$150) and HSA Contribution to employee increased from \$900 to \$950.

**UPON MOTION** by Commissioner Permenter, the Board voted unanimously to proceed with Option #2 for Health Insurance Renewal and to perform the dependent eligibility audit.

**Audit Presentation** – Deanna Rios introduced Elsa Watts, who presented the Audit Report.

Elsa Watts said there was an unmodified opinion with the audit and she thanked the County staff for being so cooperative. The Total Fund Balance for the General Fund increased \$3,909,195 to \$38,479,554, or an 11% increase primarily due to sales tax and property taxes. Total Fund balance deducted by non-spendable items and items restricted by state statute gives an available fund balance of \$31,820,139 or an increase of \$2.5 million or 9%.

The top 3 revenues for the General Fund are Ad Valorem taxes (56%), local option sales tax (20%), Restricted Intergovernmental (11%) and other revenues (13%) with revenues total at \$99,096,451.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to accept the Audit as presented.

**Carolina Land and Lakes RC&D Update:** Melissa Patton presented the following:

Carolina Land and Lakes RC&D outlined projects they have assisted with, such as dam removal and accessing grant funding to help with stormwater runoff projects.

The Carolina Land and Lakes RC&D secured \$3.16 million from the General Assembly to construct an education center open the educational state forest to the public.

**Public Comments:** Chairman Mitchem opened Public Comments.

Greg Smith, 7456 Tallwood Drive, spoke representing ELBA, and asked the Board to address the traffic issue in Eastern Lincoln County.

Being no additional speakers, Chairman Mitchem closed Public Comments.

**Renewal of Odor and Corrosion Control with Evoqua Water Technologies:** Don Chamblee presented the following:

Lincoln County Public Works is currently in a maintenance agreement with Evoqua Water Technologies for odor and corrosion control. The staff recommends to continue with the annual agreement.

In October 2008, Lincoln County Public Works entered into an agreement with Siemens (currently Evoqua) Technologies to install and maintain odor control systems at Sewer Pump Station Nos. 11, 12, and 28 for a trial period to control high levels of hydrogen sulfide (H<sub>2</sub>S) which resulted in heavy odor and corrosion. After a successful trial period Lincoln County Public Works gained approval in January 2009 to install and maintain the same technology at Sewer Pump Station Nos. 3, 4 and 5 also to control high levels of hydrogen sulfide (H<sub>2</sub>S) with the same success.

The odor control equipment at these pump stations is owned and maintained by Evoqua Water Technologies and Lincoln County pays a flat monthly fee for the service. Lincoln County Public Works has received very few complaints about odor and observed no new corrosion issues concerning these pump stations.

Mr. Chamblee requested that the Board approve to continue service with Evoqua Water Technologies' annual maintenance agreements for a term up to three (3) years, as long as Evoqua maintains the current maintenance contract pricing for the maintenance of Sewer Pump Station Nos. 3, 4, 5, 11, 12 and 28.

Commissioner Cesena expressed concern that this is not bid out.

**UPON MOTION** by Commissioner Sigmon, the Board voted 4 – 1 (Cesena against) to approve the renewal of Odor and Corrosion Control with Evoqua Water Technologies as presented.

**Approval of a Contract with Woolpert for \$636,782.00 for Engineering Services with a Transmission Line from the Water Treatment Plant to the Optimist Club Water Tank:**  
Don Chamblee presented the following:

In 2018, Public Works began construction on an upgrade to the Water Treatment Plant (WTP) to improve treatment capacity of the plant from 3.99 MGD to 8 MGD. Along with this construction, a 2018 report compiled by Woolpert recommended the construction of a transmission line to connect the WTP to the East Lincoln elevated storage tank. Doing so will allow the upgrades to the plant to maintain reliability of the water system for the citizens of the County.

Mr. Chamblee requested that the Board authorize the Chairman to execute a base contract with Woolpert for \$636,782.00.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve the Contract with Woolpert for \$636,782.00 for Engineering Services with a Transmission Line from the Water Treatment Plant to the Optimist Club Water Tank.

**Approval of an Application for a NCDEQ CWRAR Grant for \$20,000 for Recycling Compactor Expenses for the new Optimist Club Road Convenience Site:** Don Chamblee presented the following:

Public Works is requesting that the Commissioners approve the application for a NCDEQ CWRAR Grant. Lincoln County Solid Waste is applying for the NCDEQ CWRAR Grant for 2019 for \$20,000 to go towards recycling compactor expenses for the new Optimist Club Road convenience site. These compactors will help Lincoln County Solid Waste efficiently and effectively collect a much larger quantity of recycling than any other convenience site in Lincoln County. This will help support the area infrastructure since it is experiencing rapid population growth. This grant will assist in the payment of recycling collection improvements here in Lincoln County.

Mr. Chamblee requested that the Board approve the application for a NCDEQ CWRAR Grant for \$20,000.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the Application for a NCDEQ CWRAR Grant for \$20,000.

**Budget Ordinance Amendment #5:** Deanna Rios presented Budget Ordinance Amendment #5 for the Board's approval.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve Budget Ordinance Amendment #5.

**Capital Project Ordinance Amendment #3:** Deanna Rios presented Capital Project Ordinance Amendment #3 for the Board's approval.

**UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve Capital Project Ordinance Amendment #3.

**Finance Officer's Report** - Deanna Rios presented the Finance Officer's Report. Mr. Atkins informed the Board that building permits continue to go down and his projections are slightly off. Environmental Health and Register of Deeds revenues are also down.

**County Manager's Report:** Kelly Atkins said the Board has a workshop with Public Utilities on February 8 at 10:00 a.m. and February 4 at 4:00 PM there is a joint retreat with the Planning Board on various issues including transportation.

**County Commissioners' Report:** Commissioner McCall reported on the NCACC Legislative Goals Conference she recently attended. She explained the importance of having a delegate represent Lincoln County at these events.

Commissioner Cesena thanked the citizens from ELBA and East Lincoln County for attending the meeting tonight and encouraged those citizens to come to zoning public hearings.

Commissioner Sigmon spoke about a meeting held about getting the trash cleaned up in Lincoln County. He encouraged everyone to help out with this task.

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

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

**ABC Board** – Gene Poinsette

**Board of Adjustment** – John Marrow

**Council on Aging** - Dean Bethae, John Davis, Kristal Ford, Darnell Reinhardt, and Kathryn Saine.

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

---

Amy S. Atkins, Clerk  
Board of Commissioners

---

Carrol Mitchem, Chairman  
Board of Commissioners