

**MINUTES  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
MONDAY, JULY 21, 2014**

The Lincoln County Board of County Commissioners met July 21, 2014 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Alex E. Patton, Chairman  
Carl E. Robinson, Jr., Vice Chair  
James A. Klein  
Carrol D. Mitchem  
Cecelia A. Martin

Others Present:

W. Tracy Jackson, County Manager  
Martha W. Lide, Assistant County Manager  
Wesley L. Deaton, County Attorney  
Amy S. Atkins, Clerk to the Board

**Call to Order:** Chairman Patton called the July 21, 2014 meeting of the Lincoln County Board of Commissioners to order. He gave the Invocation and led in the Pledge of Allegiance.

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

**AGENDA  
Lincoln County Board of Commissioners Meeting  
Monday, July 21, 2014  
6:30 PM**

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

Call to Order

Invocation – Commissioner Patton

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
  - DMV Refunds
  - Tax Requests for Releases - May 16 - June 15, 2014

- Sponsored Group Status
    - Joy of Jubilee Concert
    - Chamber of Commerce
  - Capital Project Ordinance Amendment #1
  - Budget Ordinance Amendment #1
  - Surplus Property
  - Surplus Vehicle
  - Budget Ordinance Amendment #12
3. Board of Education Presentation on Warehouse Purchase - Dr. Sherry Hoyle and Candy Burgin
  4. Public Hearing - Road Name Change
    - Viva Court change to Sonata Court
    - Staccato Court to Ulster Court
  5. Motion to approve Continuation of Electing Status for the Work First program for FY 2016-2019 – Susan McCracken
  6. Public Comments (15 minutes allowed per Rules of Procedure - 3 minutes per person)
  7. Update on Background Checks for Emergency Services - Mike Futrell
  8. West Lincoln Optimist Update - Toni Sain
  9. Motion to Designate a Voting Delegate to NCACC Annual Conference
  10. Finance Officer's Report
  11. County Manager's Report
  12. County Commissioners' Report
  13. County Attorney's Report
  14. Vacancies/Appointments
  15. Calendar
  16. Other Business
    - Register of Deeds Report
    - Property Tax Collection Report
  17. Motion to enter Closed Session Pursuant to NCGS § 143-318.11. Closed sessions (a) (3)  
To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged
- Adjourn

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to adopt the agenda adding Gunfire Ordinance and Discussion on landfill and convenience sites policy under Other Business.

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

- DMV Refunds
- Tax Requests for Releases - May 16 - June 15, 2014
- Sponsored Group Status
  - Joy of Jubilee Concert
  - Chamber of Commerce
- Capital Project Ordinance Amendment #1
- Budget Ordinance Amendment #1
- Surplus Property
- Surplus Vehicle
- Budget Ordinance Amendment #12

**Board of Education Presentation on Warehouse Purchase - Dr. Sherry Hoyle and Candy Burgin:** Dr. Sherry Hoyle and Candy Burgin presented the following:

Candy Burgin, Board of Education Chair, and Dr. Sherry Hoyle, Superintendent, requested permission to purchase a warehouse for \$223,000 to house custodial supplies and the savings for that would be \$70,000 per year. Instructional supplies, paper, etc. would be 4% savings going in and could be more, estimated at \$50,000 per year. For Child Nutrition, there is \$18,000 potential savings because space would not need to be rented with US Foods. Bulk purchasing under Child Nutrition would save \$40,000 per year. Cost savings would be \$178,000 per year and they estimate a net zero turn-around time of 1.5 to 2 years. Mrs. Burgin said the space is move in ready for storage and a \$60,000 freezer unit will be added for Child Nutrition. She said they can move in pallets for storage. They plan to purchase some shelving in the future and hope to purchase used.

Commissioner Robinson said he wanted to make sure this \$178,000 is a net cost savings, with the utilities taken out.

Mrs. Burgin said this total does not include the utilities, this would have to be factored in the \$178,000.

Dr. Hoyle said no additional staffing would be involved with this warehouse.

Shelly Rhyne spoke about the current food storage with US Foods and the storage needs in this warehouse building.

Commissioner Klein asked about the storage space at the old hospital that was approved by the Board earlier. Mrs. Burgin said that needs changed and the old hospital facility did not meet their needs.

Commissioner Robinson asked if the building has been checked to make sure there is adequate electrical needs there. Dr. Hoyle said this has been looked at.

Dr. Hoyle said the funds for the purchase of the building will come out of their capital outlay funds.

**UPON MOTION** by Klein, the Board voted unanimously to approve the purchase of a warehouse based on the presentation made by the school system.

**Public Hearing - Road Name Change:** Netta Anderson presented the following:

**Viva Court change to Sonata Court**

This road is located off of Sunburst Ln, **(Formerly known as Viva Ct)** and requires renaming due to a plat being recorded. The proposed road name change is **Sonata Ct.** The name is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chairman Patton declared the public hearing open.  
Being no speakers, Chairman Patton declared the public hearing closed.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the road name Sonata Court.

**Staccato Court to Ulster Court**

This road is located off of Schatten Dr, **(Formerly known as Staccato Ct)** and requires renaming due to a plat being recorded. The proposed road name change is **Ulster Ct.** The name is not a duplicate or sound-alike and has been approved by the Addressing Department.

Chairman Patton declared the public hearing open.  
Being no speakers, Chairman Patton declared the public hearing closed.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the road name Ulster court.

**Motion to approve Continuation of Electing Status for the Work First program for FY 2016-2019:** Susan McCracken presented the following:

It is recommended that the Board approve the attached form that must be submitted to the State to request to continue our “Electing Status” for the Work First Block Grant. The State requires this 2014 request as we develop a new 2-year plan. In September, we will be presenting our plan to the County Commission for approval.

Lincoln County has been in “Electing Status” for the past 16 years. As an “Electing Status” County, we receive block grant funds directly from the federal government, which we then have the opportunity and responsibility to manage. By managing the caseloads associated with the

program and ensuring individuals are working or are preparing for work, we retain the savings. In recent years, the savings have been utilized by other programs and allowed us to fund up to five Children's Services Division staff.

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to approve continuation of electing status for the Work First program for FY 2016-2019.

**Public Comments:** Chairman Patton opened public comments.

Matt Jacobson spoke concerning shooting and the changes made to the Noise Ordinance at a previous meeting. He played a recording of the noise from shooting in his neighborhood.

Raye Watson-Smyth spoke concerning the shooting in her neighborhood and the fact that they cannot enjoy being outdoors due to the noise and the fear of stray bullets. She asked the Board for their help.

Rudy Bauer spoke concerning convenience sites not taking construction debris. He said he was charged \$55.93 to dump some boards from clearing out his house. He asked the Board to consider that there is an east and west side of the county and east residents should have a place to dump construction materials from their homes.

Ray Holmes, 2920 Lakeshore Road South, spoke concerning the waste issue.

Ola Mae Foster, spoke representing Coalition of churches for Lincoln County, and said they want to be a part of the Oaklawn building.

Being no additional speakers, Chairman Patton closed public comments.

**Update on Background Checks for Emergency Services** - Mike Futrell gave a brief update on background checks being done for emergency services (fire, EMS and Rescue agencies). He said that what was started in Lincoln County went to Raleigh and Representative Saine was able to get a bill passed allowing to do background and driving history checks on current members as well. He thanked the Board for their support and backing since without that, they would not have been able to move forward and get this new bill.

**West Lincoln Optimist Update:** Toni Sain introduced herself as the Treasurer of the West Lincoln Optimist and Mike Cunningham as the new President of the West Lincoln Optimist. She thanked the Board for their support and said they are looking forward to many new things for the community.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve releasing funding for West Lincoln Optimist.

Chairman Patton said he would like a commitment that the flags will never in shreds hanging again.

**Noise Ordinance:** Wesley Deaton, County Attorney presented proposed changes to the Noise Ordinance concerning firearms that do not exceed 170 decibels when discharged and the firearm is not discharged more than 30 times a minute.

The Board discussed these proposed changes and asked for some input from the Sheriff about them.

**Convenience Sites:** Chairman Patton said something needs to be done about the convenience sites and the confusion about what can be dumped. He said his feeling is there needs to be one site in East Lincoln where we can allow a little bigger load than a wheelbarrow to keep those residents from having to drive to the landfill. He asked staff to come up with alternatives where East Lincoln residents do not have to drive to Crouse to dump debris.

**Motion to Designate a Voting Delegate to NCACC Annual Conference:** UPON MOTION by Commissioner Mitchem, the Board voted unanimously to designate Commissioner Martin to be the Voting Delegate to the NCACC Annual Conference.

**Finance Officer's Report:** Scott Cook presented the Finance Officer's Report in Deanna Rios' absence.

**County Manager's Report:** Randy Williams presented an update on the Oaklawn project. He reviewed with the Board the CDBG funding and said there is an approximate funding gap of \$113,000. Staff is concerned because the commitment for operations being held by Gaston Boys and Girls Club has not been fulfilled and about half of that fund has been brought to date. The capital funding commitment for \$100,000 has not come to fruition.

Dr. Jermeliah Martin gave a report on the funding opportunities and challenges for the Oaklawn project.

No action was required on this item.

**Rescue Squad Park:** Don Chamblee stated that the project has been re-bid and came back 20 to 30% higher than the first bid.

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

**County Commissioners' Report:**

Chairman Patton said he has asked Commissioner Robinson and Martin to reform the Health Insurance Committee about where the County needs to be long term.

**Vacancies/Appointments:**

Vacancies:

- Nursing and Adult Home Community Advisory Committee
- Industrial Revenues Bond Board
- Centralina Economic Development Commission (CEDC)
- Local Fireman's Relief Fund:
  - o Boger City
  - o South Fork
  - o North 321
  - o North Brook
  - o Ore Bank Pumpkin Center
- Board of Equalization and Review Alternate
- Planning Board
  - o Howard's Creek
  - o Ironton

The following are Commissioner Robinson's recommendation:

Reappoint:

- o Planning Board
  - Christine Poinsette
  - Darrell Gettys
- o Lincoln Economic Development Commission
  - Tom Anderson
  - Bo King
- o Region F Aging Advisory
  - Elizabeth Mize – Alternate
  - Richard Sides - Delegate
- o Board of Health
  - Dr. Kim Hoyle
  - Andrew Pierce
  - Sheldon Lutz

**UPON MOTION** by Commissioner Robinson, the Board voted unanimously to make the appointments.

**Other Business:**

**Closed Session: UPON MOTION** by Commissioner Klein, the Board entered Closed Session Pursuant to NCGS § 143-318.11. Closed sessions. 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant.

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

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

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Amy S. Atkins, Clerk  
Board of Commissioners

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Alex E. Patton, Chairman  
Board of Commissioners