

MINUTES
EAST LINCOLN COUNTY WATER AND SEWER DISTRICT MEETING
MONDAY, APRIL 17, 2000

The Lincoln County Board of County Commissioners met as the governing body of the East Lincoln County Water and Sewer District at the Citizens Center, Third Floor, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:15 p.m. on April 17, 2000. The following were present:

James A. Hallman, Chairman
Terry L. Brotherton, Vice Chairman
Beth H. Saine
W. J. Waters, Jr.
John R. Gamble, Jr.

Jeff Taylor, County Attorney
Stan Kiser, County Manager

Also present were Jack Chandler, Director of Public Service and Amy S. Long, Clerk to the Board.

Call to Order: Chairman Hallman called the April 17, 2000 meeting of the East Lincoln County Water and Sewer District Board to order.

Adoption of Agenda: **UPON MOTION** by Commissioner Gamble, the Board voted unanimously to adopt the agenda as presented, with Item 4, Section 2 withdrawn.

AGENDA

**EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
BOARD OF COUNTY COMMISSIONERS
GOVERNING BODY
LINCOLN COUNTY, NORTH CAROLINA**

APRIL 17, 2000

- | | |
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| 5:45 PM | Call to Order |
| 5:45 PM | Adoption of Agenda |
| 1. 5:45 PM | Approval of Minutes
- March 20, 2000 |

2. 5:45 PM Public Hearing for Sewer Use Ordinance Amendment #3
 3. 6:00 PM Set Date for Annexation Public Hearing
 4. 6:10 PM Request for Sewer Service
1 – Squires Homes
2 – BK Barringer and Associates
 5. 6:15 PM Other Business
- Adjourn

Approval of Minutes – March 20, 2000:

UPON MOTION by Commissioner Saine, the Board voted unanimously to approve the minutes of the March 20, 2000 East Lincoln County Water and Sewer District Meeting, with one small correction.

Sewer Use Ordinance Amendment No. 3:

Jack Chandler, Director of Public Services, stated that the following is the amendment to the Sewer Use Ordinance that was talked about several weeks ago. It is the intent of this amendment to require the parcels that are served by the East Lincoln County Water and Sewer District to be included inside the boundary of the District.

Add the following to Section 2.11.

INCLUSION IN DISTRICT REQUIRED PRIOR TO SERVICE

All property requesting sewer service from the East Lincoln County Water and Sewer District shall be required to be included in the East Lincoln County Water and Sewer District prior to sewer service being provided by the District. Service to the property and inclusion in the District shall be made at not cost to the District. This section shall be effective from the date of adoption forward.

Jack Chandler stated that there is something that just occurred to him. Since they are not allowed to do partial year annexations, he asked if this would be interpreted to be that a petition for annexation would be sufficient to provide service or if they would have to wait until after July 1 of each year, at which time the annexations take effect.

Chairman Hallman stated that there would need to be additional wording in this Sewer Use Ordinance Amendment to allow for this.

Chairman Hallman opened the Public Hearing for Sewer Use Ordinance Amendment No. 3.

Chairman Hallman recessed the Public Hearing for Sewer Use Ordinance Amendment No. 3 until May 30, 2000.

Set Date for Annexation Public Hearing: Jack Chandler stated that a date needs to be established for the annexation public hearings. The date for the public hearings will need to be set no earlier than May 25, 2000. This will give ample time to complete the required reports and mail/publish the required notifications prior to the public hearing date and also leave after the public hearing to approve the annexations and finalize any budget changes necessary due to increased tax value.

UPON MOTION by Commissioner Waters, the Board voted unanimously to set the public hearing for May 30, 2000 at 5:30 PM.

Request for Sewer Service – Squires Homes: Jack Chandler stated that Squires Homes is proposing a new subdivision on North Ingleside Farm Road in eastern Lincoln County. The proposed development is to have 346 residential lots and they are proposing to connect into the 15 inch gravity sewer line that currently runs parallel to Killian Creek. He stated that this request for service also includes a petition for annexation into the Sewer District.

Chairman Hallman stated that this is also something that can be done at the May 30, 2000 meeting.

Commissioner Brotherton stated that he is a firm believer in a person being allowed to use their property, sell their property, and benefit from it. He stated that that this development is going to bring in 350 more homes and on the average 700 more kids. He stated that he wonders if there are 350 people in Lincoln County that need homes. He stated that if this was a Lincoln County developer, he would not have a problem with it, but these out of county developers need to start bringing something to the table to present to Lincoln County.

Mr. Chandler stated that when he met with the developer, it was their feeling that without approval for sewer service, there was not much need to proceed with the development.

Commissioner Brotherton stated that he has always been a big promoter of the impact fees, which is not allowable by State Statute. He stated that he would like to see these out-of-county developers in the future when bringing something like this, he would like to see some offers as to what they are going to do for Lincoln County, such as \$5000 per lot to help with school construction. He stated that he is tired of paying property tax to bring in everybody from Mecklenburg County and Chicago.

Chairman Hallman stated that this seems like a bribe.

Jeff Taylor, County Attorney, stated that the Board could not establish a policy requiring it, but if developer out of the concern for the future residents of it's potential subdivision,

and the schooling of their children gave a generous gift to Lincoln County to be applied for school construction at the same they submitted their proposal for a subdivision, he does not think this would be considered a bribe.

Commissioner Saine asked what type of homes would be put on these lots.

There was a discussion about the Board's ability to limit the number of homes in major subdivisions.

David McCord stated that he is the Vice President of Land Acquisition Development for Squires Homes. He stated that they are sort of in a Catch 22 situation, not knowing which comes first, the sewer annexation or the rezoning. He stated that they are requesting to be annexed into the water and sewer district. Mr. McCord stated that without water and sewer, they would not be here with the subdivision in its current layout. He stated that the land is under contract, and very rarely will they buy property that does not have water and sewer.

Commissioner Brotherton asked what size homes they are looking at.

Mr. McCord said they are looking at starter home/first time up move-up type buyer, in the \$125,000 range, or around 1200 to 1600 square feet.

There was a discussion on different types of fees that are charged in other counties.

There was a discussion on deferring this until May 30, 2000.

Mr. McCord voiced concerns about whether he would still be able to be annexed into the district.

Jack Chandler stated that there would be time to schedule a second annexation public hearing before the end of June.

UPON MOTION by Commissioner Gamble, the Board voted unanimously to advertise the Public Hearing for Request for Sewer Service for Squires Homes on May 30, 2000 at 5:30 PM.

Commissioner Gamble asked who would be paying for this.

Commissioner Waters asked if there would be grinder pumps used in the development.

Mr. Chandler stated that it will be totally gravity.

Commissioner Waters stated that the cost will be capacity of the plant, because if enough of this is done the plant will have to be expanded. He stated that the residents in the

district now are paying a premium price for the plant to have that capacity, and it is going to be given away.

Commissioner Brotherton stated that the Board has to look at more than the sewer district, they have to look at classrooms. He stated that schools are more important than the sewer district capacity.

Commissioner Gamble stated that by only approving 50 to 80 homes at a time, they would not get to the point where they are too far ahead of themselves.

Jeff Taylor, County Attorney, stated that Johnston County has taken an innovated approach to the growth management issue. He stated that rather than focusing on impact fees, they have adopted a county-wide growth management ordinance in which there is a formula where there are about 2000 residential building permits issued per year. He stated that there are a few exceptions to this ordinance.

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