

**LINCOLN COUNTY
BOARD OF COMMISSIONERS**

**MINUTES
JUNE 1, 1998**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on June 1, 1998 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 p.m. for the purpose of conducting public hearings on zoning issues. The following were present:

Louis E. McConnell, Chairman
James A. Hallman, Vice Chairman
Terry L. Brotherton
Larry S. Craig
Beth H. Saine

Jeffrey Taylor, Assistant County Attorney
Richard French, County Manager
Stan Kiser, Assistant County Manager

Planning Board Members present were:

John H. Black, Jr., Chairman
Ronald Smith
James Funderburk
Linda Anthony
Stanley Roseboro
Jerry Geymont

Also present were Judy Francis, Zoning Administrator, Doug Chapman, County Engineer, and Amy S. Long, Clerk to the Board of Commissioners.

CALL TO ORDER

Chairman McConnell called the June 1, 1998 meeting to order.

ADOPTION OF AGENDA

Chairman McConnell presented the agenda for the June 1, 1998 meeting for adoption.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

AND

PLANNING BOARD

JUNE 1, 1998

PUBLIC HEARINGS

	6:30 PM	Call to Order
1.	6:30 PM	Adoption of Agenda
2.	6:30 PM	Approval of Minutes - May 18, 1998
3.	6:30 PM	New Business/Advertised Public Hearings - Zoning Map Amendment No. 256 – Donna R. Kelsey, Applicant, Request to rezone approximately .75 acre in size, to be subdivided from this parcel on Halite Lane in Iron Station, from Residential Single-Family (R-SF) to Residential Transition (R-T). The applicant makes this request in order to accommodate a Class B mobile home. - Zoning Map Amendment No. 257 – Brenda K. Smith, Applicant, Request to rezone approximately two and one-half acres of this parcel off of Marsh Trail from Residential Single-Family (R-SF) to Residential Transition (R-T) to accommodate a Class B mobile home. - Conditional Use Permit No. 132 – Gary Warren, Applicant, Request for a Conditional Use Permit to allow a multi-family development in the Residential Suburban (R-S) district on Lee Lawing Road.
4.	7:15 PM	Discussion of Zoning Map Amendment No. 255 – Bobby A. Propst, Applicant
5.	7:30 PM	Public Hearing – Budget FY 98-99 Lincoln County East Lincoln Water and Sewer District
6.	8:00 PM	Public Hearing – Packaging Unlimited of North Carolina, Inc.
7.	8:15 PM	Public Hearings – Annexations of the East Lincoln Water and Sewer District – Continued from May 27, 1998
8.	8:45 PM	Recommendations from the Planning Board

- Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant.
- Zoning Map Amendment No. 257—Brenda K. Smith, Applicant.
- Conditional Use Permit No. 132—Gary Warren, Applicant

9. 9:30 PM Vacancies

10. 9:35 PM Appointments

11. 9:40 PM Other Business

12. 9:50 PM Closed Session—Personnel and Contractual

Adjourn

A motion by Commissioner Larry Craig to adopt the agenda as presented.

Seconded by Commissioner Beth Saine.
Unanimously approved.

APPROVAL OF MINUTES – MAY 18, 1998

Chairman McConnell presented the minutes of the May 18, 1998 meeting for approval.

A motion by Commissioner Terry Brotherton to approve the May 18, 1998 minutes as presented.

Seconded by Commissioner Beth Saine.
Unanimously approved.

PUBLIC HEARING - ZONING ISSUES

Chairman McConnell announced that this was the date, Monday, June 1, 1998 and the time, 6:30 p.m., which was advertised in the *Lincoln Times-News* on May 22, 1998 and May 29, 1998 for a Public Hearing on zoning requests.

NOTICE OF PUBLIC HEARING

The Lincoln County Planning Board and Board of County Commissioners will hold a joint meeting and public hearing at 6:30 PM on June 1, 1998 to consider the following zoning related matters:

Zoning Map Amendment No. 256—Donna R. Kelsey, applicant, Request to rezone a lot, approximately .75 acre in size, to be subdivided from this parcel on Halite Lane in Iron Station, from Residential Single-Family (R-SF) to Residential Transition (R-T). The applicant makes this request in order to accommodate a Class B mobile home.

Zoning Map Amendment No. 257—Brenda K. Smith, applicant, Request to rezone approximately two and one-half acres of this parcel off of Marsh Trail from Residential Single-Family (R-SF) to Residential Transition (R-T) to accommodate a Class B mobile home.

Conditional Use Permit No. 132—Gary G. Warren, applicant, Request for a Conditional Use Permit to allow a multi-family development in the Residential Suburban (R-S) district on Lee Lawing Road.

This meeting will be held in the Commissioners Board Room on the third floor of the Citizens Center, 115 W. Main Street, Lincolnton, NC. For more information, contact the Department of Building and Land Development at (704) 736-8440.

Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant

Judy Francis, Zoning Administrator, presented information on Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant.

The applicant is requesting to rezone a .75 acre portion of a 1.30 acre parcel owned by herself from Residential Single-Family (R-SF) to Residential Transition (R-T) to accommodate a Class B mobile home.

The parcel is located at 3363 Halite Lane in the Ironton Township. The property is currently zoned R-SF and has a Class B mobile home located on it. Surrounding parcels are zoned R-SF and are vacant, have residential structures on them, and one nonconforming commercial establishment. The applicant is proposing to subdivide approximately .75 acre off of the parcel to accommodate an additional Class B mobile home for a family member. The existing private road is not 45' in width and therefore, does not suffice as an easement to a newly subdivided lot according to the Lincoln County Subdivision Ordinance. If this rezoning request is granted, the applicant must also receive relief from the requirements of the subdivision ordinance. This parcel is currently for sale. The Lincoln County Land Development Plan calls for medium density residential development in this area.

Judy Francis, Zoning Administrator, presented the following memorandum from Kelly Atkins, Subdivision Administrator.

DATE: 5-11-98
TO: JUDY FRANCIS
FROM: KELLY ATKINS
SUBJECT: SUBDIVISION ISSUE ON HALITE LANE

Parcel # 23931 is approximately 1.28 ac. in size. The property is currently zoned R-SF and the minimum lot size is 22,500 sq. ft. If the property were to be rezoned to R-T, the minimum lot size would be 32,500. Mrs. Kelsey is attempting to create a family subdivision for her daughter. Thus to create a family subdivision a 45' Easement will be required according to the subdivision ordinance. According to Mrs. Kelsey she cannot come up with the 45' needed for the easement; therefore she would have before the Planning Board for subdivision relief. The Planning Board or Board of Commissioners may authorize relief from these regulations when, in their opinion, **undue hardship** may result from strict compliance.

Donna R. Kelsey, applicant, stated that she wants to divide her lot for her daughter, so she can live beside her. Ms. Kelsey stated that she has a heart problem and needs to be close to her daughter.

There was a discussion about taking this case as an Accessory Care Provider, since Ms. Kelsey has health problems.

Chairman McConnell asked if there was anyone wishing to speak regarding Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant.

Being no one wishing to speak, Chairman McConnell declared the Public Hearing on Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant, closed.

Zoning Map Amendment No. 257—Brenda K. Smith, Applicant

Judy Francis, Zoning Administrator, presented information on Zoning Map Amendment No. 257—Brenda K. Smith, Applicant.

The applicant is requesting to rezone a 2.5 acre portion of a parcel owned by Evelyn Williams (total size is approx. 8.5 acres) from Residential Single-Family (R-SF) to Residential Transition (R-T) to accommodate a Class B mobile home.

The parcel is located on Marsh Trail in the Howards Creek Township. The property is currently zoned R-SF and has a Class C mobile home located on it.

Surrounding parcels to the north, south, and west are zoned R-SF and are vacant or have residential structures on them. Immediately to the east lies the R-T district. Land in this area is also mostly vacant with some residential structures. The applicant is proposing to subdivide approximately 2.5 acres off of the east side of the parcel, which abuts the R-T district. The pre-existing private road is at least 20' in width and therefore, suffices as an easement according to the Lincoln County Subdivision Ordinance. The Lincoln County Land Development Plan calls for medium density residential development in this area.

Brenda K. Smith, applicant, stated that she now lives in Crouse, but the new Hwy. 150 is taking her house. She stated that she would like to move her mobile home onto the property owned by Evelyn Williams.

Chairman McConnell asked if there was anyone wishing to speak regarding Zoning Map Amendment No. 257--Brenda K. Smith, Applicant.

Being no one wishing to speak, Chairman McConnell declared the Public Hearing on Zoning Map Amendment No. 257—Brenda K. Smith, Applicant, closed.

Conditional Use Permit No. 132—Gary G. Warren, Applicant.

Having been duly sworn by the Clerk, Amy S. Long, the following individuals presented information regarding Conditional Use Permit No. 132—Gary G. Warren, applicant.

Judy Francis, Zoning Administrator, presented Conditional Use Permit No. 132—Gary G. Warren, applicant.

The applicant is requesting a Conditional Use Permit for property owned by himself in the Residential Suburban (R-S) district to accommodate a multi-family development consisting of ten duplexes (20 total living units of 900 sq. ft. each). Because there is public water available to this site, the maximum density allowable would be eight units per acre.

The parcel is located on Lee Lawing Road in the Ironton Township and is approximately 5.5 acres in size. The property is zoned R-S and has a single family home located on it. The applicant will subdivide a one acre lot off of the parcel for this house. Surrounding parcels to the north, south, and west are zoned R-S and have various types of residential structures on them. Immediately to the east lies the R-T district. Land in this area is vacant with some residential structures. The Lincoln County Land Development Plan calls for higher density residential development in this area.

Gary Warren, applicant, stated that he is trying to develop the acreage behind his house. He stated that he only wants 10 duplexes, with 20 living units. He stated that these duplexes will be rented out. Mr. Warren stated that there will be paved driveways and walkways. He stated that he believes that there is a need for this type of housing. Mr. Warren stated that these duplexes will be developed in three phases. He stated that these units will be 900 square foot each, with County water and septic tanks. He stated that these duplexes will rent for \$475 per unit per month. He stated that there will be an 1800 square foot playground, with a sand area, swings, and playground equipment. Mr. Warren stated that Eugene Tucker has some duplexes in this area.

Chairman McConnell asked if there was anyone wishing to speak regarding Conditional Use Permit No. 132---Gary G. Warren, applicant.

Brenda Fuller spoke in opposition of the request, stating that she has owned her home for 12 years. She stated that this is a single-family residential area, and she is opposed to that many people in her neighborhood.

Susan Larson spoke in opposition of the request, stating that Mr. Tucker's duplexes are about $\frac{3}{4}$ of a mile away, and that they were done before zoning. She stated that she lives in a Community named Tranquil Oaks. She asked the Board to consider the needs of many, and not the greed of a few.

Joan Warren spoke in opposition of the request, stating that there do not need to be 20 families there. She stated that she owns property along the proposed roadway to the duplexes.

Susan Gauthier spoke in opposition of the request. She presented a petition and letters to the Board.

Kent Fuller spoke in opposition of the request, stating that his property value will go down if these duplexes are built.

Hank Fletcher spoke in opposition of the request, stating that he has lived there since 1985. He stated that Mr. Warren just moved there 4 years ago. He asked why one man could be able to come in and do this to a neighborhood.

Chairman McConnell asked if anyone else would like to speak. Being no additional speakers, Chairman McConnell declared the Public Hearing on Conditional Use Permit No. 132—Gary G. Warren, closed.

The Planning Board reconvened to the balcony of the auditorium on the second floor of the Citizen Center for a Planning Board meeting and to deliberate on the above public hearing recommendations.

DISCUSSION OF ZONING MAP AMENDMENT NO. 255—BOBBY A. PROPST, APPLICANT

Judy Francis, Zoning Administrator, stated that the applicant has the parcel and future subdivision shown on a plat. She stated that the Planning Board recommended unanimous approval at their May 4, 1998 meeting.

Chairman McConnell asked if there was anyone wishing to speak regarding Zoning Map Amendment No. 255 – Bobby A. Propst.

Being no one wishing to speak, Chairman McConnell declared the Public Hearing on Zoning Map Amendment No. 255 – Bobby A. Propst, closed.

A motion by Commissioner Larry Craig to allow rezoning from R-SF to R-R.

Seconded by Commissioner James Hallman.
Unanimously approved.

Chairman McConnell called for a five minute recess.
Chairman McConnell called the meeting back to order.

PUBLIC HEARING – BUDGET FY 98-99

Lincoln County East Lincoln Water and Sewer District

Lincoln County

Rick French, County Manager, stated that the 1998-99 proposed budget for the General Fund is \$41,483,000, around 5% more than the 1997-98 budget. He stated that in the 1998-99 budget for the General Fund, there is no proposed property tax increase. The Building and Grounds expense increases \$393,000 and the School Budget increases \$885,000, which covers mandatory costs outlined in the School Board request. There are 20 new positions budgeted for the Harven Crouse Law Enforcement and Detention Center. There is also \$370,000 budgeted for the new debt on the Law Enforcement Center. There are 7 new employees budgeted for Building and Grounds for maintenance of the new jail and Gaston College Senior Center project. There are 2 additional new employees proposed to operate the new Senior Center. There are 2 part-time Animal Control positions that will convert to full-time positions. The budget also includes a 2.5% Cost of Living increase for County employees. \$44,000 is budgeted for the first phase of the new sound system for the Citizens Center Auditorium. \$200,000 is budgeted for the Gaston College Senior Center project, this will complete the County's obligation of a million dollar pledge for the project. There is also \$100,000 budgeted for Recreation projects, \$50,000 of which is seed money for an East Lincoln facility. The Landfill fund is \$2,086,000. All of the fees in the Landfill fund stay the same, a \$69 availability fee and a \$32

tipping fee. The Water and Sewer Fund is \$3,400,000. The water minimum is proposed to increase from \$16.70 per month to \$20.00. The Emergency Telephone fund is \$343,000, and all the fees stay the same. The overall budget is \$58,800,000, not including the East Lincoln Sewer Budget.

Chairman McConnell asked if there was anyone wishing to speak regarding the 1998-99 Lincoln County Budget.

Loretta Beam stated that she would like to go on record supporting full funding of the Lincoln County Schools request and the Cultural Center funding request. She stated that the fine arts are basic and essential.

Carroll Morrell stated that she would like to express her concerns about the remarks made by Commissioner Brotherton at the May 27, 1998 meeting about the Cultural Center.

C. Harry Huss thanked the Board for the time and energy put forth to keep the tax rate constant. He stated that there seems to be an attempt to distribute the funds fairly.

Mary McKee stated that she is Pastor at First Presbyterian Church. She stated that the Chamber of Commerce and Cultural Center are key elements for Lincolnton and Lincoln County to be a vital, healthy and thriving area.

Dr. Marty Eaddy, Superintendent of Lincoln County Schools, stated that he endorses the County Manager's proposed budget for the upcoming year. He stated that from comments made in the newspaper, he believes their presentation on May 4, 1998 may have been unclear. He stated that no State money is received until July 1, 1998. He stated that before July 1, 1998, schedules need to be made, bus routes run, library books ordered, teachers interviewed, and staff assigned. He stated that this cannot happen between July 1 and August 1, so this is a mandate because they have to have this money to open Pumpkin Center School in August of 1999.

John R. Hoffman stated that the Board has already raised the tax rate. He asked what the Board is doing with the extra money. He stated that if the Board keeps giving to the School Board, they will keep asking for more money.

Sid Carpenter stated that he is neither an artist, a writer, or an actor, but he can see, hear, and appreciate.

Todd Wolfhurst spoke on behalf on the Lake Norman Marine Commission. He stated that two of the biggest problems with all of the building are erosion and high density development. He stated that the Commission is trying to educate the public and prevent accidents. He stated that all counties fund equal amounts, and if one county makes a cut, the other counties must also cut funds.

Norah Dahlen, Chairperson of the Lake Norman Marine Commission, thanked the Board for their support of the Commission. She stated that the Commission is moving forward in a very pro-active way for protection of the Lake.

Being no one else wishing to speak, Chairman McConnell declared the Public Hearing on the Lincoln County Budget for FY1998-99 closed.

East Lincoln Water and Sewer District

Rick French, County Manager, stated that the proposed budget for the East Lincoln County Water and Sewer District is \$2,449,853. There is a proposed six cent tax increase for the district, which comes as a recommendation from the North Carolina Local Government Commission, which says that the District needs to be self-supporting. The Sewer Connection fees are proposed to increase. Availability fees will increase to \$1800 in district rate. There is a proposed out-of-district availability fee of \$3000. Grinder pumps will be offered as an option at \$1600. The overall connection fees, including availability fees, will increase from \$3,300 to \$4,200. The Sewer Use Fees will also increase to \$20.00 minimum for the first 25,000 gallons, and \$4.35 per 1,000 gallons thereafter.

Chairman McConnell asked if there was anyone wishing to speak regarding the 1998-99 East Lincoln Water and Sewer District budget.

Robin Patterson stated that she would like to know previous sewer rates to present sewer rates, since she is a new County resident.

Rick French, County Manager, stated that the previous rate was a \$15.00 minimum and it is increased to \$20.00 and the minimum connection was \$3300 and goes to \$4200.

Being no one else wishing to speak, Chairman McConnell declared the Public Hearing on the East Lincoln Sewer District for FY 1998-99 closed.

PUBLIC HEARING – PACKAGING UNLIMITED OF NORTH CAROLINA, INC.

Jeff Taylor, Assistant County Attorney, stated that this Public Hearing is to consider the incentive package that is to be offered to Packaging Unlimited of North Carolina, Inc. in connection with their purchase of the Shell Building in the Indian Creek Industrial Park. The Board is required by State Law to conduct a Public Hearing before the contract can be approved. The proposed contract calls for Packaging Unlimited to purchase the real property in the Indian Creek Industrial Park, which includes the Shell Building. They will construct a new manufacturing facility, and install certain equipment on that site. The building and equipment will add to the tax base of Lincoln County at least \$2,675,000.

Within two years, the new facility will provide at least 25 new jobs for Lincoln County residents that will pay an average wage of \$9 - \$10 per hour. Lincoln County upon the commencement of construction on the property, will pay up to \$7,200 for water and sewer line extensions to the building and up to \$2,800 for tap fees for those lines, a maximum of \$10,000. Lincoln County will provide cash grants to Packaging Unlimited of \$23,855 per year for a five-year period beginning in 1999. At the end of the five-year period Lincoln County's total expenditures equal \$129,275. The public benefit would be: increasing Lincoln County's tax base, providing additional jobs for Lincoln County residents, and to stimulate further economic development and promote business in Lincoln County.

Commissioner Larry Craig stated that the reason that this mechanism was put into place was to draw new industry, and it has worked in this aspect. When Timken came to Lincolnton, citizens complained about what was done for Timken. He stated that Timken has given way more to Lincoln County than Lincoln County gave to Timken, such as a new ambulance for Lincoln County Lifesaving Crew.

Commissioner James Hallman stated that the incentive package is a necessary evil in today's recruiting atmosphere.

Chairman McConnell asked if anyone would like to speak regarding the Incentive Package for Packaging Unlimited of North Carolina, Inc.

Being no one wishing to speak, Chairman McConnell declared the public hearing on the Incentive Package for Packaging Unlimited of North Carolina, Inc. closed.

It was the consensus of the Board to approve the Incentives Package for Packaging Unlimited of North Carolina, Inc.

PUBLIC HEARINGS—ANNEXATIONS OF THE EAST LINCOLN WATER AND SEWER DISTRICT—CONTINUED FROM MAY 27, 1998

Doug Chapman, County Engineer, stated that the Public Hearings for Annexations of the East Lincoln Water and Sewer District had been continued from the May 27, 1998 meeting. He stated that the Attorney has prepared Resolutions approving these annexations.

Chairman McConnell stated that this Public Hearing was opened on May 27, 1998 and continued until June 1, 1998. It is required by law to give two different opportunities to speak their thoughts or suggestions on these matters.

Park West Investments

Chairman McConnell opened the Public Hearing for Annexation of Park West Investments, Inc., into the East Lincoln County Water and Sewer District.

Having been duly sworn by the Clerk, Amy S. Long, the following individuals presented information regarding annexation of Park West Investments, LLC into the East Lincoln County Water and Sewer District.

Carol Clise stated that she would like to know what developers were paying for Sewer service as to what individuals pay.

Doug Chapman, County Engineer, stated that when a developer builds a subdivision, the developer installs the lines and taps as the subdivision is built. If it is gravity sewer service, they pay the availability fee only. He stated that when individuals connect to the sewer, they have to pay an availability fee and a tap fee, which includes the cost of the tap and/or the pump if it is provided. The developer will pay only the availability only if it is gravity service, and availability fee and pump fee if it is low pressure. He stated that now the availability fee is \$880, the fee will increase to \$1800 in the proposed budget. The normal connection fee is \$3300.

Being no one else wishing to speak, Chairman McConnell declared the public hearing on the Annexation of Park West Investments, Inc. into the East Lincoln County Water and Sewer District, closed.

**RESOLUTION ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY
TO THE EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, Park West Investments, Inc., is the owner of certain real property that is noncontiguous to the East Lincoln County Water and Sewer District and has petitioned the Lincoln County Board of Commissioners, pursuant to North Carolina General Statute 162A-87.1, for annexation of said real property into the District; and

WHEREAS, Park West Investments, Inc., is the owner of 100 percent of the real property to be annexed; and

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of Commissioners held a public hearing on May 27, 1998 to consider the annexation of said real property; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the proposed annexation meets the requirements of N. C. G. S. 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the real property described on Exhibit A(attached hereto and incorporated herein by reference) be and the same is hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 1998.

Adopted this 1st day of June, 1998.

Louis E. McConnell, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

A motion by Commissioner Terry Brotherton to approve the Resolution Annexing the property of Park West Investments, Inc. into the East Lincoln County Water and Sewer District.

Seconded by Commissioner Beth Saine.
Unanimously approved.

Property of H. Edward and Frances S. Knox

Chairman McConnell opened the Public Hearing for Annexation of the Property of H. Edward and Frances S. Knox into the East Lincoln County Water and Sewer District.

Having been duly sworn by the Clerk, Amy S. Long, the following individuals presented information regarding annexation of the Property of H. Edward Knox and Frances S. Knox into the East Lincoln County Water and Sewer District.

Fred Meyer asked the Commissioners to go on record stating what the Knox's will pay for sewer service.

Doug Chapman stated that by contract they have agreed to pay \$880 per lot for the first 100 lots. He stated that they will pay 100 lots per year for 5 years at a 10% increase per year.

Commissioner Larry Craig stated that it is important to recognize the fact that the Knox's are paying these fees in advance, whether they build the lots or not. He stated that this development will be paying sewer taxes as of July 1, 1998.

Chairman McConnell stated that he would like to point out the fact that none of these units in this development will need a grinder pump.

Being no one else wishing to speak, Chairman McConnell declared the Public Hearing on the Annexation of the Property of H. Edward Knox and Frances S. Knox into the East Lincoln County Water and Sewer District, closed.

**RESOLUTION ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY
TO THE EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, H. Edward Knox and Frances S. Knox are the owners of certain real property that is noncontiguous to the East Lincoln County Water and Sewer District and have petitioned the Lincoln County Board of Commissioners, pursuant to North Carolina General Statute 162A-87.1, for annexation of said real property into the District; and

WHEREAS, H. Edward Knox and Frances S. Knox are the owners of 100 percent of the real property to be annexed; and

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of Commissioners held a public hearing on May 27, 1998, to consider the annexation of said real property; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the proposed annexation meets the requirements of N. C. G. S. 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the real property described on Exhibit A (attached hereto and incorporated herein by reference) be and the same is hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 1998.

Adopted this 1st day of June, 1998.

Louis E. McConnell, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

A motion by Commissioner Larry Craig to approve the Resolution Annexing the Property of H. Edward Knox and Frances S. Knox into the East Lincoln County Water and Sewer District.

Seconded by Commissioner Beth Saine.
Unanimously approved.

SailView Properties, LLC

Chairman McConnell opened the Public Hearing for Annexation of SailView Properties, LLC into the East Lincoln County Water and Sewer District.

Being no one wishing to speak, Chairman McConnell declared the public hearing for Annexation of SailView Properties, LLC into the East Lincoln County Water and Sewer District, closed.

**RESOLUTION ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY
TO THE EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, SailView Properties, LLC, is the owner of certain real property that is noncontiguous to the East Lincoln County Water and Sewer

District and has petitioned the Lincoln County Board of Commissioners, pursuant to North Carolina General Statute 162A-87.1, for annexation of said real property into the District; and

WHEREAS, SailView Properties, LLC, is the owner of 100 percent of the real property to be annexed; and

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of Commissioners held a public hearing on May 27, 1998, to consider the annexation of said real property; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the proposed annexation meets the requirements of N. C. G. S. 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the real property described in that certain deed recorded in Deed Book 1008, Page 694, Lincoln County Public Registry, be and the same is hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 1998.

Adopted this 1st day of June, 1998.

Louis E. McConnell, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

A motion by Commissioner Terry Brotherton to approve the Resolution Annexing SailView Properties, LLC into the East Lincoln County Water and Sewer District.

Seconded by Commissioner Larry Craig.
Unanimously approved.

West Bay, Forest Hills, Minnow Pond, and Denver Industrial Park III

Chairman McConnell opened the Public Hearing for Annexation of West Bay, Forest Hills, Minnow Pond, and Denver Industrial Park III into the East Lincoln County Water and Sewer District.

Being no one wishing to speak, Chairman McConnell declared the public hearing for Annexation of West Bay, Forest Hills, Minnow Pond, and Denver Industrial Park III into the East Lincoln County Water and Sewer District, closed.

**RESOLUTION ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO
THE EAST LINCOLN COUNTY WATER AND SEWER DISTRICT
LINCOLN COUNTY, NORTH CAROLINA**

WHEREAS, after notice was duly given in accordance with the pertinent sections of Article 6 of Chapter 162A of the North Carolina General Statutes, the Lincoln County Board of Commissioner held a public hearing on May 27, 1998, to consider the annexation of certain tracts of real property (described on the maps labeled as Maps 1, 2, 3, and 4 attached hereto and incorporated herein by reference) that are contiguous to the East Lincoln County Water and Sewer District; and

WHEREAS, at said public hearing all persons who wished to speak were given an opportunity to be heard; and

WHEREAS, prior to the public hearing the professional staff of Lincoln County prepared the report on the proposed annexation required by North Carolina General Statute 162A-87.1; and

WHEREAS, the Lincoln County Board of Commissioners finds that the tracts of real property described are contiguous to the District, with at least one-eighth of the aggregate external boundary of each area coincident with the existing boundary of the District; and

WHEREAS, the Board of Commissioners further finds that the residents of the territories to be annexed will benefit from the annexation; and

WHEREAS, the Board of Commissioners further finds that it is economically feasible to provide the proposed sewer service in the annexed districts without unreasonable or burdensome annual tax levies; and

WHEREAS, the Board of Commissioners further finds that the proposed annexation would be in the best interests of the citizens of Lincoln County and particularly of the East Lincoln County Water and Sewer District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Lincoln County Board of Commissioners that the tracts of real property described on the maps attached hereto (labeled Maps 1, 2, 3, and 4) and incorporated herein by reference be and the same are hereby annexed into the East Lincoln County Water and Sewer District, effective at the beginning of the next fiscal year on July 1, 1998.

Adopted this 1st day of June, 1998.

Louis E. McConnell, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Long
Clerk to the Board

A motion by Commissioner Larry Craig to approve the Resolution Annexing West Bay, Forest Hills, Minnow Pond, and Denver Industrial Park into the East Lincoln County Water and Sewer District.

Seconded by Commissioner Beth Saine.
Unanimously approved.

Commissioner Larry Craig stated that the annexed properties will go into the East Lincoln County Water and Sewer District on July 1, 1998 and will begin paying taxes then.

RECOMMENDATIONS FROM PLANNING BOARD MEETING -- JUNE 1, 1998

Judy Francis, Zoning Administrator, presented the Planning Board's recommendations as follows:

Zoning Map Amendment No. 256—Donna R. Kelsey, Applicant

The Planning Board recommended unanimous denial of this rezoning request. They urged the applicant to apply for an accessory care provider permit. They recommended grant relief from easement requirements in subdivision ordinance to allow subdivision of a new lot in the R-SF district.

A motion by Commissioner Larry Craig to deny Zoning Map Amendment No. 256 and to grant a relief from the Subdivision Ordinance for Easement for a new lot. He urged the applicant to apply for an Accessory Care Provider permit.

Seconded by Commissioner James Hallman.
Unanimously approved.

Zoning Map Amendment No. 257--Brenda K. Smith, Applicant

Unanimous approval as requested.

A motion by Commissioner Larry Craig to allow Zoning Map Amendment No. 257—Brenda K. Smith, applicant.

Seconded by Commissioner Beth Saine.
Unanimously approved.

Conditional Use Permit No. 132—Gary Warren, Applicant

The Planning Board recommended unanimous approval of Conditional Use Permit No. 132 – Gary Warren, applicant, with the following conditions:

- The maximum number of duplexes allowed on the parcel (after the home has been subdivided off) is six (6) for a total of twelve living units.
- A Grade B landscape screen must be planted and maintained along the property line between the development and the Tranquil Oaks subdivision.

Chairman McConnell presented the Findings of Fact for Conditional Use Permit No. 132—Gary Warren, Applicant.

**RECOMMENDATION ON FINDINGS OF FACT
FOR A CONDITIONAL USE PERMIT**

LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP-# 132

Date: June 1, 1998

Applicant's Name: Gary G. Warren
Address: 3092 Lee Lawing Rd.
Lincolnton, NC 28092

Property Owner's Name: Same as above
Address:

Property Location: 3092 Lee Lawing Road

Existing Zoning: R-S

Proposed Conditional Use: Multi-family – 20 units, 900 square foot each

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No
Motioned by Commissioner James Hallman.
Seconded by Commissioner Terry Brotherton.
Factual Reasons Cited: The use will not materially endanger the public health or safety if located where proposed and developed according to plan with the conditions added.
Vote: 4 – 1 (McConnell)
2. The use meets all required conditions and specifications. Yes X No
Motioned by Commissioner James Hallman.
Seconded by Commissioner Larry Craig.
Factual Reasons Cited: The use meets all required conditions and specifications.
Vote: Unanimously approved.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No
Motioned by Commissioner Larry Craig.
Seconded by Commissioner James Hallman.
Factual Reasons Cited: The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, no evidence that the property will be devalued.
Comments: Commissioner Terry Brotherton stated that he has some duplexes in Denver. He stated that the residential property across the street from his duplexes has increased in value since the duplexes were built.
Vote: Unanimously approved.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. Yes X No
Motioned by Commissioner Larry Craig.
Seconded by Commissioner James Hallman.
Factual Reason Cited: The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with

the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question, due to the fact that there is a mix in the development – mobile homes, stick built homes, duplexes in the area, and it is a use by Conditional Use Permit.

Vote: Unanimously approved.

After having held a public hearing on June 1, 1998, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

Commissioner Terry Brotherton motioned that the Conditional Use Permit be approved with the following "fair and reasonable conditions" attached. Seconded by Commissioner Larry Craig.

Vote: Unanimously approved.

In recommending said conditional use, the following conditions were recommended by the Lincoln County Board of Commissioners:

1. The maximum number of duplexes allowed on the parcel (after the home has been subdivided off) is six (6) for a total of twelve living units.
2. A Grade B landscape screen must be planted and maintained along the property line between the development and the Tranquil Oaks subdivision.
3. A chain link fence, 4 feet in height, must be provided along the sides and rear of the development.
4. The playground must be expanded to 3600 square feet.

June 1, 1998

Chairman
Lincoln County Board of Commissioners

June 1, 1998

Clerk to Board of Commissioners

EAST LINCOLN COUNTY WATER AND SEWER DISTRICT BUDGET ORDINANCE FY 1998-99

Rick French, County Manager, stated that it is important to residents in the East Lincoln County Water and Sewer District that the budget is approved early. He stated that the total amount of fees for connections in the Sewer District go up \$900. He stated that this will give the County a chance to communicate with the residents and give them a chance to save \$900.

Mr. French stated that the Local Government Commission told the County that the East Lincoln County Water and Sewer District needed to be self-supporting.

Mr. French presented the East Lincoln County Water and Sewer District Budget Ordinance FY 1998-99.

**EAST LINCOLN COUNTY
WATER AND SEWER DISTRICT**
**BUDGET ORDINANCE
FY1998-99**

BE IT ORDAINED by the Board of East Lincoln County Water and Sewer District of Lincoln County, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the East Lincoln County Water and Sewer District and its activities for the fiscal year beginning July 1, 1998 and ending June 30, 1999, in accordance with the chart of accounts heretofore established for East Lincoln County Water and Sewer District:

SEWER SERVICES

Personal Services	\$ 191,752
Fringe Benefits	42,157
Materials and Supplies	211,300
Current Obligations	117,300
Fixed Charges	21,800
Capital Outlay	70,000
Debt Service	1,482,725
Contingency	<u>312,819</u>
Total	\$ 2,449,853

Section 2. It is estimated that the following revenues will be available in the East Lincoln County Water and Sewer District for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

AD VALOREM TAXES:

Current Year Taxes	\$ 1,476,553
Prior Year Taxes	2,300
Permits and fees	648,000
Sewer Fees	315,000

Interest on Investments	8,000
Total	\$ 2,449,853

Section 3. There is hereby levied a unified tax at the rate of twenty-eight (\$.28) cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 1998, for the purpose of raising the revenue listed as "Current Year's Property Taxes" in the East Lincoln County Water and Sewer District in Section 2. of this Ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$548,535,647 and an estimated collection rate of 96.23 percent.

Section 4. This Budget Ordinance, effective July 1, 1998 authorizes the mileage reimbursement rate of 28 cents per mile where applicable.

Section 5. The District Administrator is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. He may transfer amounts among objects of expenditure within a department.
- b. He may transfer amounts up to \$10,000 between functions of the same fund.

Section 6. The District Administrator is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction, repair projects or design services requiring the estimated expenditure of less than \$10,000.
- b. He may execute contracts for; (1) purchases of apparatus, supplies, and materials, or equipment which are within budgeted appropriations, (2) leases of personal property for a duration of one year or less and within budgeted appropriations, and (3) services which are within budgeted appropriations.
- c. He may execute grant agreements to or from public and non-profit organizations which are within budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
- d. He may execute contracts, as the lessor or lessee or real property, which are of one-year duration or less, if funds therefore are within budgeted appropriations.

Section 7. Copies of this Budget Ordinance shall be furnished to the County Manager, Clerk to the Board of Commissioners, Finance Director and the Tax Administrator for direction in carrying out their duties.

Adopted this 1st day of June 1998.

Louis E. McConnell, Chairman
East Lincoln County
Water and Sewer District

ATTEST:

Amy S. Long
Clerk to the Board

Commissioner Larry Craig stated that there have been letters published in the paper lately, saying that the County Commissioners should take it upon themselves to use all of the counties funds for the East Lincoln County Water and Sewer District. He stated that the law prohibits the Board from doing this.

Rick French presented the East Lincoln County Water and Sewer District Budget Ordinance for FY 1998-99.

A motion by Commissioner James Hallman to approve the East Lincoln County Water and Sewer District Budget for Fiscal Year 1998-99, based on obligations and mandates from the Local Government Commission.

Seconded by Commissioner Larry Craig.

Comments:

Commissioner Larry Craig stated that it is hard to give anyone a tax increase, especially when there are so many people in the district that did not vote for the Sewer System. He pledged to the Board of Commissioners and to the people of Lincoln County that he would continue to work hard to get this tax rate down. He stated that he would like to see the Board commit to work with the Developers to use this system to get the taxes down.

Chairman McConnell stated that he, Commissioner Brotherton, and various staff were called to Raleigh a few weeks ago for loaning the fund balance to the East Lincoln County Water and Sewer District. He stated that there really is no recourse except to raise the tax rate.

Commissioner Terry Brotherton stated that he supported a capacity fee of \$3000 for each connection in the district. He stated that he still believes in that, and

cannot vote to put more taxes on these residents. He stated that he cannot support a tax increase.

Commissioner James Hallman stated that the main concern for him was that you have to be guaranteed of enough money. The capacity fee would only work if people hooked on to it. The tax is the only guaranteed way.

Chairman McConnell stated that the Board was charged with looking after the East Lincoln County Water and Sewer District and keeping it solvent and above-board. He stated that if a tax increase was not necessary he could not support it.

Vote: 3 – 2 (Brotherton, Saine)

LINCOLN COUNTY BUDGET ORDINANCE FY 1998-99

Rick French, County Manager, presented the Lincoln County Budget Ordinance FY 1998-99.

LINCOLN COUNTY BUDGET ORDINANCE FY98-99

BE IT ORDAINED by the Board of County Commissioners of Lincoln County, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the County government and its activities for the fiscal year beginning July 1, 1998 and ending June 30, 1999, in accordance with the chart of accounts heretofore established for Lincoln County:

GENERAL GOVERNMENT	
Governing Body	\$ 140,203
Administration and Finance	630,036
Data Processing	228,098
Elections	254,058
Tax Department	788,315
Revaluation	169,165
Legal	75,036
Register of Deeds	416,995
Public Buildings	1,147,747
District Court	32,083
Central Services	65,500
Special Grants	56,913
	\$ 4,004,149

PUBLIC SAFETY

Sheriff	\$ 3,076,385
Jail	1,350,095
Communications	658,643
Emergency Management	144,799
Fire Marshal	98,471
Emergency Services	200,240
Animal Control	192,852
Forestry	33,339
Medical Examiner	19,200
Ambulance Service	<u>636,475</u>
	\$ <u>6,410,499</u>

ENVIRONMENTAL PROTECTION

Solid Waste	\$ 679,337
Soil Conservation	<u>72,115</u>
	\$ <u>751,452</u>

ECONOMIC AND PHYSICAL DEVELOPMENT

Cooperative Extension	\$ 232,324
Building and Land Development	619,598
Economic Development	165,000
Airport Authority	<u>48,000</u>
	\$ <u>1,064,922</u>

HUMAN SERVICES

Health Department	\$ 3,112,686
Mental Health	330,532
Social Services	7,292,354
Veterans Service	39,355
Senior Services	116,147
Community Based Alternatives	200,315
Battered Women	<u>104,446</u>
	\$ <u>11,195,835</u>

CULTURAL AND RECREATION

Recreation	\$ 563,714
Historic Properties	7,792
Historical Association	59,904
Cultural Grants	47,493
Library	<u>490,388</u>
	\$ <u>1,169,291</u>

EDUCATION

Lincoln Center Gaston College	\$ 102,935
Schools Current Expense	6,978,965
Schools Capital Outlay	768,435
Communities in Schools	<u>19,600</u>
	\$ <u>7,869,935</u>

DEBT SERVICES

General County	\$ 1,038,371
School System	<u>3,562,308</u>

	\$ 4,600,679
TRANSFER TO CAPITAL PROJECT FUND	\$ 383,689
TRANSFER TO CAPITAL RESERVE FUND	\$ 3,072,238
LOAN TO WATER AND SEWER FUND	\$ 571,662
CONTINGENCY	<u>\$ 389,369</u>
TOTAL GENERAL FUND	\$ 41,483,720

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

AD VALOREM TAXES:

Current Year	\$ 18,473,691
Prior Years	617,000
Taxes-Intangibles	500,000
Inventory Tax	1,115,000
Local Option 1 cent Sales Tax	3,000,000
Local Option 1st 1/2 cent Sales Tax	2,310,000
Local Option 2nd 1/2 cent Sales Tax	2,300,000
Excise Tax Stamps	200,000
Franchise Tax	70,000
Homestead Exemption	56,319
Interest on Investment	400,000
ABC Revenues	24,000
Rents	37,000
Tax Refunds	120,000
Local Occupancy Tax	50,000
	<u>\$ 29,273,010</u>

STATE AND FEDERAL GRANTS:

STATE AND FEDERAL GRANTS	
Law Enforcement	\$ 148,246
Emergency Management	36,059
Veterans Service	2,000
Title III Aging	82,500
DOT Transportation	26,174
Community Based Alternatives	162,883
Soil Conservation	25,796
Battered Women	104,446
Council on Aging	<u>7,926</u>
	<u>\$ 596,030</u>

HEALTH DEPARTMENT PROGRAMS \$ 2,917,669

SOCIAL SERVICE PROGRAMS **\$ 4,632,792**

FEES	
Tax Department	\$ 11,200
Election	240
Register of Deeds	194,000
Sheriff	31,000
Jail	116,000
Building and Land Development	369,557
Library	14,800
Court Facilities	50,000
Animal Control	14,000
Tax Collection	172,412
Recreation	10,500
	\$ 983,709

CITY-COOPERATIVE PAYMENTS	
Animal Control	\$ 6,300
Communications	50,000
Recreation Commission	85,000
	\$ 141,300

TRANSFERS FROM OTHER FUND	
Capital Reserve Fund	\$ 3,562,308
E-911	233,902
MISCELLANEOUS REVENUE	\$ 1,000
SALE OF ASSETS	\$ 25,000
RECYCLABLE SALES	17,000
FUND BALANCE APPROPRIATED	\$ _____ -0-
TOTAL REVENUES	\$ 41,483,720

Sixty percent (60%) of the proceeds of the second local half-cent sales and use tax is hereby declared to be included in the appropriation for school capital projects and/or debt service. The receipts shall be accumulated in the Capital Reserve Fund for Schools until such time as the funds are appropriated for specific projects or debt service.

The remaining proceeds from the two half cent sales and use taxes are hereby appropriated for other general county needs which may include but not be limited to debt service, capital projects, capital outlay and operating expenses.

Section 3. The following amounts are hereby appropriated or reserved in the Capital Reserve Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Transfer to General Fund (Debt Service)	\$ <u>3,562,308</u>
---	---------------------

Total School Capital Reserve Fund Appropriations/Reserve \$ 3,562,308

It is estimated that the following revenues will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Fund Balance Appropriated	\$ -0-
Interest on Investment	40,000
(60% 2nd 1/2 cent)	1,380,000
State School Building	450,070
<u>General Fund Appropriation</u>	<u>1,692,238</u>
Total School Capital Reserve Fund Revenues	\$ 3,562,308

Section 4. The following amounts are hereby appropriated in the Law Enforcement Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999

Operating Expense	\$ 4,200
Total	\$ 4,200

It is estimated that the following revenues will be available in the Law Enforcement Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Controlled Substance Excise Tax	4,000
Interest on Investment	<u>200</u>
Total	\$ 4,200

Section 5. The following amounts are hereby appropriated in the Emergency Telephone Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Operating Expenses	\$ 343,313
Total Emergency Telephone Fund	\$ 343,313

It is estimated that the following revenues will be available in the Emergency Telephone Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Phone Service Charges	\$ 332,313
Interest on Investments	<u>11,000</u>
Total Emergency Telephone Fund	\$ 343,313

Section 6. The following amounts are hereby appropriated in the Landfill Enterprise Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Operating Expenses	\$ 1,031,876
Debt Service & Capital Construction	1,054,855
Total Landfill Enterprise Fund Appropriation	\$ 2,086,731

It is estimated that the following revenues will be available in the Landfill Enterprise Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Availability Fee	\$ 1,727,001
Tire Disposal Tax	45,000
Tipping Fees	225,024
White Goods Disposal Tax	6,000
Sales Tax Refund	15,573
Interest	65,733
Rent Income	<u>2,400</u>

Total Landfill Enterprise Fund Revenues	\$ 2,086,731
--	---------------------

Section 7. The following amounts are hereby appropriated in the Water and Sewer (Operations) Enterprise Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Water System Operation	\$ 698,952
Water Debt Principal	1,320,743
Water Debt Interest	792,904
Water Treatment Operation	446,475
Sewer System Operation	<u>90,638</u>

Total Water & Sewer Enterprise Fund Expenditure	\$ 3,349,712
--	---------------------

It is estimated that the following revenues will be available in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Water Sales	\$ 2,500,000
Water Tap Fees	131,750
Sewer Sales	31,500
Other Revenues	114,800
Loan from General Fund	<u>571,662</u>

Total Water & Sewer Enterprise Fund Revenues	\$ 3,349,712
---	---------------------

Section 8. The following amounts are hereby appropriated as continuing multi-year projects in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Elections	\$ 59,356
Public Buildings	296,548
Data Processing	102,703
Public Works	150,000
Airport	28,000
Sewer Line	1,370,000

Recreation	\$ <u>100,000</u>
Total General County Capital Improvement Project Fund Expenditures	\$ 2,106,607

It is estimated that the following revenues will be available in the General County Capital Improvement Project Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Estimated Revenues	
Transfer from General Fund	\$ 383,689
Proceeds Sale of Debt	1,520,000
Interest on Investments	10,794
Fund Balance Appropriated	<u>192,124</u>
Total General County Capital Improvement Project Fund Revenues	\$ 2,106,607

Section 9. The following amounts are hereby appropriated as continuing multi-year projects in the School Capital Improvement Project Fund for the final year beginning July 1, 1998 and ending June 30, 1999.

Reserve for Projects	\$ <u>3,397,000</u>
Total School Capital Improvement Fund Expenditures	\$ 3,397,000

It is estimated that the following revenues will be available in the School Capital Improvement Project Fund for the fiscal year beginning July 1, 1998 and ending June 30, 1999:

Proceeds Sale of Debt	\$ 3,000,000
Fund Balance	334,982
Interest on Investment	<u>62,018</u>
Total School Capital Improvement Fund Revenues	\$ 3,397,000

Section 10. There is hereby levied a unified tax at the rate of 61.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 1998, for the purpose of raising the revenue listed as "Current Year's Property Taxes" in the General Fund in Section 2. of this Ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$3,121,534,015 and an estimated collection rate of 96.23 percent. The estimated rate of collection is based on the fiscal 1996-97 collection rate of 96.23 percent.

Section 11. There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 1998; located within the thirteen (13) special fire districts for the raising of revenue for said special fire districts. Estimated totals of valuation of property for the thirteen special fire districts for the purpose of taxation are as follows:

Fire District	Assessed Value	Rate	1998-99 Tax Revenue	1998-99 Tax Expend.
Alexis	\$ 105,815,370	\$ 0.05	\$ 52,908	\$ 52,908
Boger City	346,902,042	0.03	104,071	104,071
Crouse	94,349,299	0.04	37,340	37,340
Denver	407,674,153	0.04	163,070	163,070
East Lincoln	598,114,598	0.03	179,434	179,434
High Shoals	33,214,379	0.054	17,936	17,936
Howard's Creek	100,016,086	0.05	50,008	50,008
Hugh's Pond	16,237,401	0.055	8,931	8,931
North 321	175,956,269	0.035	61,585	61,585
North Brook	143,338,594	0.05	71,669	71,669
Ore Bank	137,376,880	0.04	54,951	54,951
South Fork	118,853,722	0.04	47,542	47,542
Union	110,384,778	.05	55,192	55,192

There is appropriated to the special fire districts from the proceeds of this tax the amounts shown under the appropriation column, for use by the special fire districts in such manner and for such expenditures as is permitted by law from the proceeds of this tax. In the event the actual net proceeds from the tax levies exceed or fall short of the appropriated amounts, the actual net proceeds from the tax shall constitute the appropriation from the tax levy.

Lincoln County will continue to serve as collection agent for the City of Lincolnton for the collection of property taxes, as long as this is mutually agreeable between Lincolnton and Lincoln County. Lincoln County shall receive a three percent (3%) collection fee (1 1/2% fee for motor vehicles, for this service, plus unusual expenses as agreed by both parties.

Section 12. On October 8, 1990, the Board of County Commissioners adopted "An Ordinance for Lincoln County with respect to imposing a monthly enhanced 911 charge." As stated in this Ordinance, adjustments in the amount of the monthly charge for recurring costs may be made at any time by the Lincoln County Board of Commissioners. It has been determined by the Board of Commissioners that this monthly charge shall remain at the current charge of \$1.00 per month. These funds are needed in order to meet the expenses associated with the enhanced 911 system.

Therefore, effective August 1, 1998, the monthly charge is one dollar (\$1.00) for each exchange access facility subscribed to by a telephone subscriber whose exchange access line or lines are located in Lincoln County which are in the area served by the Enhanced 911 Service. The above monthly charge shall remain in effect until changed by the Lincoln County Board of Commissioners.

Section 13. This Budget Ordinance, effective July 1, 1998 authorizes the mileage reimbursement rate of 28 cents per mile where applicable.

Section 14. The funds that are used in this Budget Ordinance to fund certain elements in the Landfill and Water Works operations are non-property tax funds.

Section 15. The County Manager is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. He may transfer amounts among objects of expenditure within a department.
- b. He may transfer amounts up to \$10,000 between departments of the same fund.
- c. He may not transfer any amounts between funds nor from the contingency or from any capital reserve appropriations.

Section 16. The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction, repair projects or design services requiring the estimated expenditure of less than \$10,000.
- b. He may execute contracts for: (1) purchases of apparatus, supplies, and materials, or equipment which are within budgeted appropriations, (2) leases of personal property for a duration of one year or less and within budgeted appropriations, and (3) services which are within budgeted appropriations.
- c. He may execute grant agreements to or from public and non-profit organizations, which are within, budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
- d. He may execute contracts, as the lessor or lessee or real property, which are of one-year duration or less, if funds therefore are within budgeted appropriations.

Section 17. Copies of this Budget Ordinance shall be furnished to the County Manager, Clerk to the Board of Commissioners, Finance Director and the Tax Administrator for direction in carrying out their duties.

Adopted this 1st day of June 1998.

Louis E. McConnell, Chairman
Lincoln County
Board of Commissioners

ATTEST:

Amy S. Long

Clerk to the Board

Chairman McConnell stated that the new homes, new business, and evaluation helped keep the tax rate at 61.5 cents.

Commissioner Larry Craig stated that if Lake Norman Marine Commission is given less than requested, all counties will have to cut the amount given.

Commissioner Craig motioned to give the Lake Norman Marine Commission the amount of money they requested.

Discussion:

Commissioner Terry Brotherton stated that he totally supports some kind of control over Lake Norman, and firmly believes that the money going to the Lake Norman Marine Commission would be better spent by creating an increased visibility of officers on the lake. He stated that he cannot agree with sending a third of the total amount of funds to the Centralina Council of Government. He stated that the only thing the Marine Commission can accomplish in the future is printing brochures, creating more regulations.

Vote: 3-2 (Brotherton, Saine)

Commissioner Terry Brotherton stated that there was very little support tonight for the Cultural Center. He stated that he has spoken with more people in the last three days than was present tonight. He stated that the basic response has been that the Cultural and Arts are great things, but should be self-supporting.

Commissioner Beth Saine stated that she had a long conversation with a Board member from the Cultural Center. She stated that the Board is committed to utilities and some maintenance by a lease agreement made with the Cultural Center Board in 1988. She stated that she was told that a program was cut out, but was never told what was cut.

Commissioner James Hallman stated that the Cultural Center's budget came in with a 2% cut and he supports the budget with the 2% cut.

Commissioner Larry Craig stated that he is a big supporter of the history and historical facts of Lincoln County. He stated that culture blends in with history. He stated that there has to be some sort of benefit from culture. He stated that he does see the need and reality of having it.

Commissioner James Hallman made a motion to adopt the Lincoln County Budget for Fiscal Year 1998-99 with the only adjustment being Lake Norman Marine Commission. He stated that he is glad to see that the tax rate is holding and all of the needs are met.

Seconded by Commissioner Larry Craig. Commissioner Craig offered his thanks to Mr. French and staff for accomplishing a budget that held the tax rate the same. He stated that the Commissioners have devied out the monies of this County equally and fairly to do the necessary things that will promote this County, and make it a better place to live, work, and raise your children in.

Commissioner Terry Brotherton stated that Commissioner Craig commented that the money had been devied out fairly. He stated that a few weeks ago, Commissioner Saine and he brought a proposal about recreation spending. He stated that 80% of the recreation money is being spent in the City and 20% is spent in the County.

Commissioner Brotherton stated that with the School budget, there are a lot of M's, which lead the Commissioners to think these items are mandated. He stated that there is a 4% non-certified salary increase in the School's budget. He stated that it is hard for him to provide funding for the Schools to give a 4% increase, when the County employees only get 2.5%. He stated that he cannot go along with this. He stated that the start-up costs are also included as mandates. He stated that this is an attempt to manipulate the Commissioners.

Commissioner Beth Saine stated that she has a real problem with the Alternative School, and has a problem approving the budget with funding provided for the Alternative School.

Vote: 3 –2 (Brotherton, Saine)

Chairman McConnell called for a five-minute recess.
Chairman McConnell called the meeting back to order.

VACANCIES

Dangerous Dog Appellate Board	5
Lincoln County Council on Aging	2
Alternate Board of Appeals	2
Lincoln County Child Protection Team	1
Planning Board – ETJ	1
Nursing and Adult Care Home Community Advisory Committee	5

APPOINTMENTS

Commissioner James Hallman advised that there were no appointments at this time.

OTHER BUSINESS

Rick French, County Manager, stated that Sheriff Pickens wrote him a letter stating that every year the DARE officers go to training and requested permission for out-of-state travel for the officers. This year the certification training is in Albuquerque, New Mexico. The money is already set-up in her budget.

It was the consensus of the Board to approve the out-of-state travel for the Dare officers.

CLOSED SESSION-CONTRACTUAL AND PERSONNEL

A motion by Commissioner Larry Craig to go into closed session to discuss a contractual and personnel matter.

Seconded by Commissioner James Hallman.
Unanimously approved.

ADJOURN

Being no further business to come before the Board of Commissioners at this time, Chairman McConnell entertained a motion to adjourn the June 1, 1998 meeting.

Commissioner Terry Brotherton motioned that the Board adjourn.

Seconded by Commissioner Beth Saine.
Unanimously approved.