

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, DECEMBER 3, 2007**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on December 3, 2007, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

**Commissioners Present:**

Thomas R. Anderson, PE, Chairman  
Alex E. Patton, Vice Chairman  
Marie Moore  
Bruce Carlton  
James A. Klein

**Planning Board Members Present:**

Jerry Geymont, Chairman  
John Pagel, Vice Chairman  
Terry Whitener, Secretary  
George Arena  
Clyde Brown  
Larry Craig  
Darrell Harkey  
Harold Howard Jr.  
Louis McConnell

**Others Present:**

Michael Talbert, Interim County Manager  
Jeffrey A. Taylor, County Attorney  
Amy S. Atkins, Clerk to the Board  
Kelly Atkins, Director of Building and Land Development  
Randy Williams, Principal Planner  
Randy Hawkins, Zoning Administrator  
Candi Cornwell, Associate Zoning Administrator  
Andrew Bryant, Associate Planner  
Amy Brown, Clerk to the Planning Board  
Steve Gilbert, Director of Public Works

**Call to Order:** Michael Talbert, Interim County Manager, called the December 3, 2007, meeting of the Lincoln County Board of Commissioners to order.

**Invocation:** Commissioner Carlton gave the Invocation and led in the Pledge of Allegiance.

**Election of Chair:** Michael Talbert opened the floor to nominations for Chairman.

Commissioner Moore nominated Commissioner Carlton as Chairman.

Commissioner Klein nominated Chairman Anderson as Chairman.

Mr. Talbert called for a vote (by show of hands) for Commissioner Carlton as Chair.

AYES: Moore

Mr. Talbert called for a vote (by show of hands) for Commissioner Anderson as Chair:

AYES: Carlton, Klein, Patton

**Election of Vice Chair:** Chairman Anderson conducted the election of Vice Chairman.

Commissioner Carlton nominated Commissioner Patton for Vice Chairman.

Commissioner Moore nominated Commissioner Klein for Vice Chairman.

Chairman Anderson called for votes (by show of hands) for Commissioner Patton.

AYES: Anderson, Klein, Carlton

Chairman Anderson called for votes (by show of hands) for Commissioner Klein.

AYES: Moore

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

**UPON MOTION** by Commissioner Moore, the Board voted unanimously to adopt the agenda with changes: adding 5a – Noise Ordinance Modifications and 5b - Lincoln County's Animal Control Ordinance, removing approval of minutes, and adding item 11a – Update on Commercial Water Rates – Barry McKinnon.

## **AGENDA**

### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 3, 2007**

6:30 PM      Call to Order – Michael Talbert, Interim Manager

Invocation – Commissioner Bruce Carlton

Pledge of Allegiance

Election of Chair

Election of Vice-Chair

1. 6:35 PM Adoption of Agenda
2. 6:36 PM Consent Agenda
  - Approval of Minutes
    - November 19, 2007
  - Tax Requests for Refunds – More than \$100
    - October 29 – November 4, 2007
  - Tax Requests for Releases – More than \$100
    - October 16 – November 15, 2007
  - Budget Adjustment No. 50 – 52
  - Request from Sheriff Daugherty for Service Weapon for Wallace Lee Keener
  - 2008 Meeting Schedule
3. 6:40 PM Zoning Public Hearing – Randy Hawkins
 

*ZMA #557 Terry Whitener, applicant (Parcel ID# 18615 and 79962) A request to rezone 1.9 acres from R-T (Transitional Residential) to B-G (General Business). The property is located on the north side of County Line Trail about 600 feet west of Gaston Hillside Drive in Lincolnton Township.*
4. 6:55 PM Audit Presentation – Bryan Starnes – Martin Starnes and Associates
5. 7:20 PM Architectural Services for Animal Shelter
6. 7:35 PM Public Hearing for Proposed Industrial Development Incentive Grant for an Existing Industry
7. 7:45 PM Public Comments
8. 8:00 PM Professional Services Contract with Withers & Ravenel – Steve Gilbert
9. 8:10 PM Drought Update – Steve Gilbert
10. 8:15 PM Odor Control Update – Steve Gilbert
11. 8:20 PM Update on Sewer Plant – Steve Gilbert
12. 8:25 PM Other Business

Recess until December 6, 2007 at 6:00 p.m.

**Consent Agenda:** UPON MOTION by Commissioner Klein, the Board voted unanimously to approve the Consent Agenda removing the approval of minutes.

- Tax Requests for Refunds – More than \$100
- October 29 – November 4, 2007

LINCOLN COUNTY TAX DEPARTMENT  
VEHICLES

**REQUEST FOR REFUNDS**

PERIOD COVERED (October 29, 2007 - November 4, 2007)

G.S.105-381(B) ALL REFUNDS VEHICLES MORE THAN \$100 (and) 105-325 including (A) (6)

| NAME | YEAR | DIST | A/C# | AMOUNT |
|------|------|------|------|--------|
|------|------|------|------|--------|

|                 |      |          |         |        |
|-----------------|------|----------|---------|--------|
| WOOTEN, JOHN W. | 2007 | DFD/ELSD | 0173518 | 175.79 |
|-----------------|------|----------|---------|--------|

**TOTAL \$ 175.79**

- Tax Requests for Releases – More than \$100
- October 16 – November 15, 2007

October 16 – November 15, 2007

| NAME                          | YEAR | A/C NO  | AMOUNT   |
|-------------------------------|------|---------|----------|
| Atnip, Maryann                | 2007 | 0179786 | \$219.42 |
| Brening, James Jay            | 2007 | 0206293 | \$210.14 |
| Brethauer, Alexander Heinrich | 2007 | 0195667 | \$142.17 |
| Buchanan, Judy McGuirt        | 2007 | 0206246 | \$159.58 |
| Bucks Baits, Inc.             | 2007 | 0206429 | \$249.80 |
| Burch, Brett Lee              | 2007 | 0206006 | \$144.85 |
| Cinker, Linda Diane           | 2007 | 0204547 | \$120.04 |
| Cochran, Perry Ray            | 2007 | 0065622 | \$136.35 |
| Deal, Christopher Albert      | 2006 | 0143779 | \$190.94 |
| Ellis, Shelia Elizabeth       | 2007 | 0206422 | \$116.37 |
| Ench, George F                | 2007 | 0121901 | \$101.34 |
| Flaccus, Laura Sue            | 2007 | 0204563 | \$130.23 |
| Gatza Marble Products, Inc    | 2007 | 0205624 | \$357.56 |
| Gatza, Robert David           | 2007 | 0072372 | \$801.45 |
| Greenard, Anthony Tryone      | 2007 | 0206107 | \$168.60 |
| Johnson, David Alfred         | 2007 | 0192176 | \$315.39 |
| Lail, Monte Lewis             | 2007 | 0112632 | \$105.34 |
| Lemelin, Claude Junior        | 2006 | 0198688 | \$125.31 |
| Mauney, Robert Andrew II      | 2006 | 0182929 | \$140.85 |
| Mauney, Toney B               | 2007 | 0183530 | \$118.26 |
| McCrary, Jeffrey Duane        | 2007 | 0147835 | \$260.98 |
| Meadows, Howard Lee           | 2007 | 0193430 | \$224.41 |
| Medford, James Shelton        | 2007 | 0186906 | \$109.87 |
| Mosteller, Laura Ashley       | 2007 | 0195664 | \$101.58 |
| Norwood, Gary Wayne           | 2007 | 0095418 | \$110.38 |
| Parker, Bennett Thomas        | 2007 | 0206330 | \$273.66 |

|                            |             |               |                   |
|----------------------------|-------------|---------------|-------------------|
| Reed, Larry David          | 2007        | 0179346       | \$403.17          |
| Salari, Frank              | 2006-07     | 0155902       | \$192.67          |
| Stephens, John             | 2006-07     | 0163362       | \$178.82          |
| Vaughn, James R Jr         | 2006-07     | 0178484       | \$1,138.91        |
| Yates, Michael Earl        | 2007        | 0070467       | \$106.85          |
|                            |             | <b>TOTAL</b>  | <b>\$7,155.29</b> |
| <b>NAME</b>                | <b>YEAR</b> | <b>A/C NO</b> | <b>AMOUNT</b>     |
| B & B Properties           | 2007        | 0206572       | \$5,231.42        |
| B B & T Leasing            | 2007        | 0195318       | \$1,798.92        |
| Elegant Nails              | 2007        | 0171032       | \$100.35          |
| First Citizens Bank        | 2003-04     | 44567         | \$310.43          |
| Gibson, Sarah A.           | 2006-07     | 0189889       | \$138.00          |
| Houser, Deeve              | 2007        | 0199861       | \$521.75          |
| Lockman, John T            | 2007        | 10728         | \$164.00          |
| Patterson, Stanley Wallace | 2005-06     | 0088889       | \$134.97          |
| Puckett Brothers Auto      | 2006-07     | 0163164       | \$149.33          |
| Simply Elegant             | 2006-07     | 0174542       | \$101.30          |
| White Oak Inn The          | 2007        | 0197723       | \$563.50          |
|                            |             | <b>TOTAL</b>  | <b>\$9,213.97</b> |

- Budget Adjustment No. 50 – 52

No. 50: Allocate EDTAP (Elderly Disabled Transportation Assistance Program) funds to appropriate departments

No. 51: Budget adjustment to increase expenditure/revenue line items for Work First DOT funds

\*Remaining half of total allocation of \$15,936

No. 52: Increasing expenditure/revenue line items to purchase one vehicle for agency \*Approval received from State office (no County funds involved)

- Request from Sheriff Daugherty for Service Weapon for Wallace Lee Keener
- 2008 Meeting Schedule

Chairman Anderson stated that John Pagel and Terry Whitener will be retiring from service to the Planning Board. He thanked them to their service to the county and for the time and work devoted to the Planning Board.

**Zoning Public Hearing – Randy Hawkins:**

Chairman Anderson announced that this was the date, Monday, December 3, 2007 and the time, 6:30 PM, which was advertised in the *Lincoln Times-News* on November 23 and 30, 2007.

**NOTICE OF PUBLIC HEARINGS**

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearing on Monday, December 3, 2007, at 6:30 p.m. to consider the following matter:

ZMA #557 Terry Whitener, applicant (Parcel ID# 18615 and 79962) A request to rezone 1.9 acres from R-T (Transitional Residential) to B-G (General Business). The property is located on the north side of County Line Trail about 600 feet west of Gaston Hillside Drive in Lincolnton Township.

The public is invited to attend this meeting, which will be held in the Commissioners Room on the third floor of the James W. Warren Citizens Center, 115 W. Main Street, Lincolnton, N.C. For more information, contact the Department of Building and Land Development at (704) 736-8440.

**Zoning Map Amendment No. 557 – Terry Whitener, applicant:** A request to rezone 1.9 acres from R-T (Transitional Residential) to B-G (General Business). The request involves two contiguous parcels of land.

The property is located on the north side of County Line Trail about 600 feet west of Gaston Hillside Drive in Lincolnton Township. The adjacent properties to the north and east are zoned B-G. The adjacent properties to the south and west are zoned R-T. The applicant owns an adjacent 4.5-acre parcel that is the site of a business that sells utility trailers. The larger parcel that's requested for rezoning is the site of a grandfathered business with a 7,884-square-foot building used to store textile equipment. Other land uses in this area are mostly residential. The Lincoln County Land Use Plan classifies this area as Suburban Residential.

Randy Hawkins presented a letter from Crown Castle saying they do not oppose the proposed action unless its approval will:

- a. Reduce or eliminate Crown's ability to exercise its entitlement as approved.
- b. Result in the imposition of additional restrictions or requirements on Crown's use, structure or future use, intensification and enjoyment of same, or
- c. Create nonconformity associated with Crown or the applicant's use or structure.

Mr. Hawkins stated that this rezoning will have no effect on Crown Castle.

Chairman Anderson opened the public hearing concerning Zoning Map Amendment No. 557 – Terry Whitener, applicant.

Being no speakers, Chairman Anderson declared the public hearing closed.

The Planning Board recessed their meeting on the 2<sup>nd</sup> floor balcony.

**Architectural Services for Animal Shelter:** Michael Talbert presented a letter from Williams Design which outlines the proposal for an addition to the shelter. The total for architectural and engineering fees is \$68,065. The preliminary estimates for the new facility would be \$600,000 to \$650,000 and the renovation of the existing facility would be \$150,000 to \$200,000.

Commissioner Carlton asked if anybody working with this has expertise in animal shelters. Mr. Talbert stated that the Manager and Animal Control will be working with Mr. Williams. Mr. Williams will also be in touch with the State Inspector.

Commissioner Klein asked if there is a standard whereby someone determines how many spaces are needed for dogs and cats. He asked how Mr. Williams knows how many spaces we need.

Mr. Talbert stated that this is part of the research Mr. Williams will do. He stated that the other part of the equation is how we will deal with Animal Control in the future, such as spay/neuter programs that will require spaying and neutering across the county. He stated that we are currently euthanizing about 3,000 animals per year and only adopting about 300 per year.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the architectural services for the Animal Shelter and accept budge adjustment 53.

**Noise Ordinance:** County Attorney Jeff Taylor outlined the changes to the Noise Ordinance. The amendment removes the words continue or continued in Section 2.

#### LINCOLN COUNTY NOISE ORDINANCE

WHEREAS, the increased population of Lincoln County has resulted in a higher density of population with people living in closer proximity to each other; and

WHEREAS, the number of personal watercraft, motor vehicles, televisions, radios, and other devices generating high levels of noise has increased to the extent that unreasonably loud, intense noise, particularly at certain times of day or night, has become a nuisance, annoyance and health hazard to much of the population of Lincoln County; and

WHEREAS, the health and welfare of the people of Lincoln County require an enactment of an ordinance to minimize and control the emission of such loud, intense noises which disturb the tranquility of the community and jeopardize the health, safety and welfare of the people.

NOW, THEREFORE, pursuant to Sections 153A-121 and 153A-133 of the North Carolina General Statutes, the Lincoln County Board of Commissioners hereby enact the following ordinance for the purposes of promoting, safeguarding and maintaining the health, safety and welfare of the citizens and the peace and dignity of Lincoln County.

Section 1. **AUTHORITY.** This Ordinance is adopted pursuant to the authority granted to the Lincoln County Board of Commissioners in Section 153A-133 of the North Carolina General Statutes and for the purpose of regulating the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or affect the health and well-being of the citizens of Lincoln County.

Section 2. **LOUD, RAUCOUS AND DISTURBING NOISE.** It shall be unlawful for any person or group of persons, regardless of number, to willfully make or cause to be made any loud, raucous and disturbing noise, which term shall mean any

sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the County of Lincoln. The term "loud, raucous and disturbing noise" shall be limited to loud, raucous and disturbing noises heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof while in use, in any church or hospital or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof.

**Section 3. ENFORCEMENT.** Subject to the provisions of Section 4 hereinafter, violations of this Ordinance may be enforced by any one or more of the remedies authorized by Section 153A-123 of the North Carolina General Statutes, including, but not limited to, the following:

(A) The Lincoln County Sheriff's Department may issue a citation which subjects the offender to a civil penalty of the greater of \$500 or the maximum allowed by state law to be recovered by the County in a civil action in the nature of debt if the offender does not pay the penalty within twenty (20) days after being cited for a violation.

(B) A civil action seeking an injunction and order of abatement may be directed toward any person creating or allowing the creation of any unlawful noise, including the owner or person otherwise having actual or legal control of the premises from which it emanates.

(C) A misdemeanor warrant may be issued either immediately or upon the issuance of a citation, and the violator's failure to pay the same. A violation of this Ordinance upon the issuance of a misdemeanor warrant shall be punishable under Section 14.4 of the North Carolina General Statutes by a maximum sentence of thirty (30) days and/or a maximum fine of \$500 or the maximum allowed by state law.

**Section 4. COOPERATION OF COMPLAINANTS.** Before initiating a civil or criminal proceeding pursuant to this Ordinance, Lincoln County, its officers and staff members, and/or the Lincoln County Sheriff shall have the option of requesting the complaining party to sign a sworn statement of the alleged offense and to require the cooperation of the complaining party in court appearances arising from said complaint. Nothing contained in this Ordinance shall obligate Lincoln County, its officers and staff members, and/or the Lincoln County Sheriff to pursue civil or criminal proceedings hereunder where the complaining party is unwilling to sign such a sworn statement and cooperate in court appearances arising therefrom.

**Section 5. EXEMPTED ACTIVITIES.** Specifically exempted from the provisions of this Ordinance is all noise generated in the normal day-to-day operations of any otherwise lawful commercial, farm or industrial enterprise or governmental facility (provided that such noise may only occur between the hours of 7:00 a.m. and 11:00 p.m.),

or in the usual and customary activities of civic or community organizations, including holiday observances and other such occasional or ceremonial activities.

Section 6. **EFFECTIVE DATE.** This Ordinance, AS AMENDED, shall become effective upon adoption.

Adopted this 3<sup>rd</sup> day of December, 2007.

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Thomas R. Anderson, Chairman  
Board of Commissioners  
Lincoln County

**UPON MOTION** by Commissioner Moore, the Board voted 4 – 1 (Klein against) to adopt the Noise Ordinance as presented.

**Amendment to the Lincoln County Animal Control Ordinance:** Jeff Taylor presented proposed amendments to the Animal Control Ordinance.

AMENDMENTS TO  
LINCOLN COUNTY ANIMAL CONTROL ORDINANCE

WHEREAS, complaints have been brought to the attention of the Lincoln County Board of Commissioners regarding large numbers of dogs being kept within close proximity to residences of other citizens of the County; and

WHEREAS, large numbers of dogs present the likelihood of excessive barking and other noises and offensive odors being generated and becoming bothersome or offensive to residents of surrounding properties; and

WHEREAS, for many years Lincoln County has had in existence an Animal Control Ordinance regulating dogs and other animals in Lincoln County; and

WHEREAS, Lincoln County has also had in existence for many years a Noise Ordinance that contains provisions that might be applied to noises from animals; and

WHEREAS, the Sheriff of Lincoln County has indicated to the Board of Commissioners that the requirement that barking be “continuous” has created problems with enforcement of the existing Animal Control Ordinance; and

WHEREAS, due to the increasing population of Lincoln County, the Board of Commissioners believes it would be in the best interests of the citizens of the County to amend the existing Ordinance in order to clarify it and to provide specific regulations with respect to numbers of dogs; and

WHEREAS, Section 153A-121(a) of the North Carolina General Statutes gives the Board of Commissioners the authority to define and abate nuisances; and

WHEREAS, Section 153A-127 gives the Board the authority to define and prohibit abuse of animals;

NOW, THEREFORE, BE IT ORDAINED as follows:

1. Section IX, Subsection D, of the Lincoln County Animal Control Ordinance is hereby amended to add the following provisions:
  6. *Maintaining animals in unsanitary conditions that result in odors that are offensive to persons of reasonable sensitivity on adjacent or neighboring properties shall constitute a nuisance pursuant to this Ordinance.*
  7. *Keeping, harboring or maintaining more than 10 dogs per acre of land shall constitute a nuisance pursuant to this Ordinance. For purposes of enforcing this limit, the Animal Control Officer shall determine the "assessed" or "taxed" acreage as shown on the Lincoln County GIS system [NOT "deeded" acreage] for the parcel where the dogs are being kept, harbored, or maintained. For parcels of less than one acre, the assessed acreage shall be multiplied by 10 to determine the allowed number of dogs. Fractional results shall be rounded to the next higher whole number if the fraction is 0.50 or greater; results shall be rounded down to the next lower whole number if the fraction is less than 0.50. [Example #1: 0.75 acres x 10=7.5; allowable dogs =8. EXAMPLE #2: 0.42 acres x 10 =4.2; allowable dogs=4.] The computation of the Animal Control Officer shall be final. Puppies shall not be counted against the total number of allowed dogs until they have been weaned from their mothers.*

*Each day that the violation continues shall constitute a separate violation such that the penalties in Section XIV of this Ordinance shall accrue. For violations of the limit on numbers of dogs above, each dog beyond the applicable limit shall constitute a separate violation also [EXAMPLE: 19 dogs on parcel where only 10 dogs allowed= 9 dogs over limit. Dogs remain for 20 days. Total number of violations= 9 x 20= 180.] This limit on number of dogs shall become effective July 1, 2008.*

2. Section VII is hereby amended to add the following sentence:

*A violation of this section shall be considered abuse of animals pursuant to N.C.G.S. 153A-127.*

3. Section IX, subparagraph D, subsection 4, is hereby amended to delete the word "continuous."
4. [OPTIONAL: Section XI is hereby added as follows:

**Exceptions to Applicability.**

Facilities such as kennels, animal shelters, missions, animal rescues, veterinary offices, or clinics that operate pursuant to permits or licenses issued by the State of North Carolina or any of its departments shall not be subject to the following sections of this Ordinance:  
\_\_\_\_\_. The foregoing list is provided for illustration and is not intended to be exclusive. ]

5. These amendments shall become effective immediately.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

LINCOLN COUNTY BOARD OF COMMISSIONERS

By:

\_\_\_\_\_  
Thomas R. Anderson  
Chairman

ATTEST:

\_\_\_\_\_  
Amy S. Atkins, Clerk to the Board

Commissioner Carlton stated that he would like to postpone this to the next meeting.

**Audit Presentation – Bryan Starnes – Martin Starnes and Associates:** Bryan Starnes, with Martin Starnes and Associates, presented the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30 2007. He stated that the opinion letter was unqualified, which is a clean opinion and is required by the LGC. There was a small decrease in fund balance this year.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to adopt the audit.

**Public Hearing for Proposed Industrial Development Incentive Grant for an Existing Industry:** Mitch Miller presented an industrial incentive grant for HOF Textiles. Under this grant, Hof Textiles would make an investment of \$3,350,000, of which \$2,345,000 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy. Lincoln County will provide cash grants to HOF Textiles of \$9,297.93 per year for a five-year period. Hof is competing with other locations for this project.

Chairman Anderson opened the public hearing.

Being no one wishing to speak, Chairman Anderson declared the public hearing closed.

**UPON MOTION** by Commissioner Patton, the Board voted unanimously to approve the resolution and agreement for HOF Textiles.

**Public Comments:** Chairman Anderson advised that this was the time the Board of Commissioners would receive comments from the citizens regarding any matter they desired to address.

Jamey Barnes, 3449 Petite Lane, Denver, thanked the board for their help with the animal situation. He stated that the Sheriff and his deputies were in the back of the room

giggling about this and do not take it seriously. He stated that the Board may want to work in some money for training for Animal Control staff.

Steve Gilroy, 1814 Catalina Lane, stated that on September 25, his grandson was killed by his neighbor's dog that was on a chain. He stated that something needs to be done with chained dogs where children have access to them. He stated that there should have to be the same precautions taken for dogs that there are with swimming pools and require them to be fenced in.

Monica Mull, 360 Colonial Village Drive, stated that no one takes it seriously about Animal Control. She stated that you should not be able to get your dog back if it attacks someone.

Being no additional speakers, Chairman Anderson declared the public comments section closed.

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

**Professional Services Contract with Withers & Ravenel:** Barry Matherly presented the Professional Services Contract with Withers and Ravenel.

Qualification packages were submitted in the spring for engineering firms to provide GPS services for the inventory of the County water and sewer systems. Packages were submitted by Withers & Ravenel, WK Dickson and Hazen & Sawyer. Withers & Ravenel and WK Dickson's submittals were evaluated by County staff from Public Works, Planning and GIS to be approximately equal, so interviews were held with these two firms. After the interviews, Withers & Ravenel were the unanimous choice to provide the services.

The contract is in the amount of \$288,400.00 and will include field location and other information of all surface features such as manholes, valves, fire hydrants, blowoffs, meters, pump stations, etc. and these will be complied for the inclusion on the County GIS system. This will also include the depiction of the entire water and sewer pipe network on the GIS maps. This information will be invaluable in preparing a complete inventory of the assets owned by the County, and the GID portion of the product will be a great planning tool as the systems continually expand. Funds were allocated in both last year's budget and this year as well, so funds are available to pay for these services.

It is the recommendation of the Public Works Department that the Engineering Services Contract for GPS Location of Water and Sewer Systems with Withers & Ravenel be approved in the amount of \$288,400.00.

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to approve the recommendation of the Public Works Department to award the contract to Withers and Ravenel in the amount of \$288,400.00.

**Drought Update:** Barry McKinnon gave an update on the drought situation.

**Odor Control Update:** Barry McKinnon gave an update on the odor control situation, saying that odor control equipment was delivered today and they will expedite installation of this equipment.

**Update on Sewer Plant:** Barry McKinnon gave an update on the sewer plant. He stated that Mr. Gilbert has been informed that the State is ready to approve the Environmental Assessment and the Fonzi should be in hand by the end of the month.

**Commercial water rates:** Barry McKinnon presented the following water rates

Current Billing Procedure:

- Assume 10,000 gallons is used  
Bill is \$55.40 for residential users  
Bill is \$55.40 for commercial users
- Assume 100,000 gallons used:  
Bill is \$570.20 in “Normal” conditions  
Bill is \$698.90 in “Voluntary” conditions  
Bill is \$1085.00 in “Mandatory” conditions

Proposed Change in Commercial Billing Procedure:

(Proposed changes will only affect Commercial Accounts – No Residential Changes)

- Minimum Bill (0-2500 Gallons) \$20.00
- Each additional 1,000 Gallons 5.72  
(21% higher than residential)  
(Char-Meck is 30% higher for Commercial)
- Assume 10,000 gallons used Bill would be \$62.90
- Assume 100,000 gallons used Bill would be \$577.70 at all times  
(Drought conditions will not impact the proposed commercial rate)

**UPON MOTION** by Commissioner Klein, the Board voted unanimously to accept the rates as proposed effective as of the most recent meter reading forward.

Barry McKinnon suggested reviewing the Water Conservation Ordinance. If we go to stage 4 restrictions, the Ordinance is inflexible unless com exceptions are made. No outside use will affect car washes, nurseries (plants), and pressure washing/detail shops.

**Other Business:** Commissioner Klein stated that the Board has interest forms for potential Planning Board members.

Michael Talbert stated that the 2007 employee appreciation luncheon is this Wednesday.

Mr. Talbert reminded the board of the budget retreat on December 14. He presented a draft agenda for this meeting.

**UPON MOTION** by Commissioner Carlton, the Board voted to recess until December 6, 2007 at 6:00 p.m.

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Amy S. Atkins, Clerk  
Board of Commissioners

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Thomas R. Anderson, PE, Chairman  
Board of Commissioners