

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, MAY 21, 2018**

The Lincoln County Board of County Commissioners met May 21, 2018 at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, at 6:30 P.M.

Commissioners Present:

Bill Beam, Chair  
Anita McCall, Vice Chair  
Martin Oakes

Commissioners Absent:

Richard Permenter  
Carrol Mitchem

Others Present:

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

**Call to Order:** Chairman Beam called the May 21, 2018 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence, asking for everyone to remember the Self family. He led in the Pledge of Allegiance.

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

**AGENDA**  
**Lincoln County Board of Commissioners Meeting**  
**Monday, May 21, 2018**  
**6:30 PM**

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

Call to Order - Chairman Bill Beam

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
  1. Tax Requests for Releases 3/16 - 4/15/18
  2. Tax Requests for Refunds 3/26-4/18/18
  3. Sponsored Group Status - Lincoln County Concert Association
3. Planning Board Recommendations - Randy Hawkins
4. Road Naming Public Hearing - Peaceful Way - Netta Anderson
5. Public Hearing on Cost Justified Water and Wastewater System Development Fees - Don Chamblee
6. Approval to Enter into Utility Reimbursement Agreement with DR Horton, Inc. - Don Chamblee
7. Update on Utility Schedule of Fees - Don Chamblee
8. Public Comments
9. Budget Ordinance Amendment #11 - Deanna Rios
10. Finance Officer's Report - Deanna Rios
11. Budget Presentation - Kelly Atkins, Josh Grant and Deanna Rios
12. County Manager's Report
13. County Commissioners' Report
14. County Attorney's Report
15. Vacancies/Appointments
16. Calendar
17. Other Business

Information Only - No Action Needed

- Register of Deeds Report
- Property Tax Collection Report

Adjourn

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to adopt the agenda adding Item 4b – Library Grant – Jennifer Sackett.

**Consent Agenda:** Josh Grant reviewed the items on the Consent Agenda.

Consent Agenda

1. Tax Requests for Releases 3/16 - 4/15/18

2. Tax Requests for Refunds 3/26-4/18/18
3. Sponsored Group Status - Lincoln County Concert Association

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the Consent Agenda as presented.

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

**ZMA #650 – Tommy Gilmore, applicant:**

A request to rezone a 0.57-acre lot from R-T (Transitional Residential) to B-N (Neighborhood Business. The subject property is located at 1182 S. NC 16 Business Hwy., on the west side of N.C. 16 Business across from Sifford Road, in Catawba Springs Township.

The Planning Board voted 8-0 to recommend approval.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve ZMA #650 – Tommy Gilmore, applicant, as recommended by the Planning Board.

**ZMA #652 Darren Waugh, applicant:**

A request to rezone a 1.96-acre lot from R-SF (Residential Single-Family) to B-N (Neighborhood Business). The subject property is located between Campground Road and Will Proctor Street about 200 feet north of N.C. 16 Business in Catawba Springs Township. The Planning Board voted 8-0 to recommend approval.

**The Planning Board voted 8-0 to recommend approval.**

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the Statement of Consistency and Reasonableness as submitted by the Planning Board.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve ZMA #652 – Darren Waugh, applicant, as recommended by the Planning Board.

**PD #2014-2-A5 Prestige Corporate Development, LLC, applicant**

A request to amend the master plan for the planned Rivercross mixed-use development to permit 228 multi-family dwelling units on a 12.5-acre site that's currently approved for 200 multi-family dwelling units and 12 duplex units. The subject property is located on the southern end of

Triangle Circle about 250 feet west of N.C. 16 Business in Catawba Springs Township. The Planning Board voted 8-0 to recommend approval.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Statement of Consistency and Reasonableness as submitted by the Planning Board.

Commissioner Oakes said he would like it to be known that he is voting for this since it is tied to the Charter School.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve PD #2014-2-A5 – Prestige Corporate Development, LLC, applicant, as recommended by the Planning Board.

**Road Naming Public Hearing – Peaceful Way:** Netta Anderson presented the proposed road name Peaceful Way.

Chairman Beam opened the public hearing concerning the road naming of Peaceful Way. Being no speakers, Chairman Beam closed the public hearing.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the road name Peaceful Way as presented.

**Approval to accept \$1,500 Lincoln County Community Fund Grant Award:**

Jennifer Sackett requested approval of a \$1,500 Lincoln County Community Fund Grant Award. This grant will be used to install a StoryWalk at the Vale Recreation Park in western Lincoln County.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the \$1,500 Lincoln County Community Fund Grant Award as presented.

**Public Hearing on Cost Justified Water and Wastewater System Development Fees:** Don Chamblee presented the following:

Public Works has contracted with Raftelis Financial Consultants, Inc for the purpose of developing cost-justified water and wastewater system development fees. Per Section 162A Article 8 of the North Carolina General Statutes, a public hearing is required for the approval of water and wastewater fees

Chairman Beam opened the Public Hearing on Cost Justified Water and Wastewater System Development Fees. Being no speakers, Chairman Beam closed the public hearing.

**Approval to Enter into Utility Reimbursement Agreement with DR Horton, Inc.:** Don Chamblee presented the following:

Public Works requests approval to enter into an agreement with DR Horton, Inc. to upgrade the proposed waterline on Highway 73 from a 12 inch waterline to a 24 inch. A 12 inch waterline to supply water is required for Ingleside Farms subdivision. The County has a project to install a 24 inch lines on Highway 73 and 12 inch on Ingleside Farm Road. This agreement will allow the developer to upsize the water line to meet the County CIP project requirements for a 24 inch water line on Highway 73.

**UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve the Utility Reimbursement Agreement with DR Horton, Inc.

**Update on Utility Schedule of Fees:** Don Chamblee presented the following:

The utility rates include various updates based on the rate study and 10 year CIP Plan. The rates will be adopted in the Budget process.

**SCHEDULE OF FEES AND CHARGES FOR WATER AND SEWER SERVICES**  
**Draft: April 26, 2018**

**TABLE 1 - WATER TAP FEES AND METER FEES**

<b><u>Meter Size:</u></b>	<b><u>Tap Fee:</u></b>	<b><u>Meter Fee:</u></b>
¾-inch	\$960.00	\$265.00
1-inch	\$1,190.00	\$355.00
2-inch	\$2,840.00	\$1,550.00
¾ - inch Irrigation tap on Service Line	\$480.00	\$265.00
¾ - inch Irrigation tap on Water Main	\$960.00	\$265.00
1 - inch Irrigation tap on Water Main	\$1,190.00	\$355.00

**TABLE 2 - CAPACITY DEVELOPMENT FEES FOR ALL WATER CONNECTIONS**

<b><u>WATER METER SIZE</u></b>	<b><u>AVAILABILITY FEE</u></b>
¾-inch	\$3,102.00
1-inch	\$5,170.00
2-inch	\$16,544.00
3-inch	\$33,088.00
4-inch	\$51,699.00
6-inch	\$103,399.00
8-inch	\$165,438.00
10-inch	\$434,275.00
12-inch	\$548,014.00

**Class of Service:**

Single Family Residential  
 Interruptible Agricultural  
 Commercial/Industrial

**Capacity Development Fee:**

\$3,102.00  
 \$3,102.00  
 Meter Size Table 2

**Class of Service:**

Single Family Residential Irrigation  
 All Other Irrigation

**Capacity Development Fee:**

\$3,102.00  
 Meter Size Table 2

**NOTES:**

1. Capacity Development Fees must be fully paid before the issuance of the Building Permit for the property being served by the Planning and Inspections Department.
2. Any applicants under the Deferred Payment Plan will be subject to the Policy at the time of Application.
3. For multi-family dwellings, a Capacity Development Fee shall be paid for each unit regardless of the number of water taps or meters installed.
4. Applicants with multiple dwelling units, multiple unit businesses, or multiple buildings on an individual tract of land may apply for one Water Tap to serve all units. However, applicant shall pay Capacity Development Fees shown in Table 2, in addition to any applicable Tap Fees included in Table 1. All lines connecting more than one building to a single Water Tap will require a permit issued by the North Carolina Department of Environment and Natural Resources.

**TABLE 3- MONTHLY VOLUMETRIC CHARGES FOR WATER**

<i>Residential In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$21.20
Each additional 1,000 gallons up to 12,000 gallons	\$ 5.00
Each additional 1,000 gallons over 12,000 gallons without drought restrictions	\$ 6.06
Each additional 1,000 gallons over 12,000 gallons under voluntary restrictions	\$ 7.58
Each additional 1,000 gallons over 12,000 gallons under mandatory restrictions	\$12.13
Bulk Water Rate per 1,000 gallons	\$ 8.48
<i>Commercial In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$21.20
Each Additional 1,000 Gallons	\$ 6.06
Interruptible Agricultural Rate per 1,000 gallons	\$ 4.24
Bulk Water Rate per 1,000 gallons	\$ 8.48
<i>Industrial In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$21.20
Each additional 1,000 gallons	\$ 5.00
<i>Residential Out-of-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$42.40
Each additional 1,000 gallons up to 12,000 gallons	\$ 5.00
Each additional 1,000 gallons over 12,000 gallons without drought restrictions	\$ 6.06
Each additional 1,000 gallons over 12,000 gallons under voluntary restrictions	\$ 7.58
Each additional 1,000 gallons over 12,000 gallons under mandatory restrictions	\$12.13
Bulk Water Rate per 1,000 gallons	\$ 8.48
<i>Commercial Out-of-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$42.40
Each additional 1,000 gallons	\$ 6.06
Bulk Water Rate per 1,000 gallons	\$ 8.48
<i>Industrial Out-of-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$42.40
Each additional 1,000 gallons	\$ 5.00

**TABLE 4- SEWER TAP FEES**

1-1/2-inch Low Pressure Sewer Tap	\$3,000.00
2-inch Low Pressure Sewer Tap	\$3,000.00
4-inch Gravity Sewer Tap	\$3,000.00
6-inch Gravity Sewer Tap	\$3,000.00

**TABLE 5 - CAPACITY DEVELOPMENT FEES FOR ALL SEWER CONNECTIONS**

<u>WATER METER SIZE</u>	<u>AVAILABILITY FEE</u>
3/4-inch	\$1,621.00
1-inch	\$2,702.00
2-inch	\$8,647.00
3-inch	\$17,295.00
4-inch	\$27,023.00
6-inch	\$54,047.00
8-inch	\$86,647.00
10-inch	\$226,996.00
12-inch	\$286,447.00

**NOTES:**

1. Capacity Development Fees must be fully paid before the issuance of the Building Permit for the property being served by the Planning and Inspections Department.
2. Any applicants under the Deferred Payment Plan will be subject to the Policy at the time of Application.
3. For multi-family dwellings, a Capacity Development Fee shall be paid for each unit regardless of the number of sewer taps or meters installed.
4. Applicants with multiple dwelling units, multiple unit businesses, or multiple buildings on an individual tract of land may apply for one Sewer Tap to serve all units. However, applicant shall pay Capacity Development Fees shown in Table 5, in addition to any applicable Tap Fees included in Table 4. All lines connecting more than one building to a single Sewer Tap will require a permit issued by the North Carolina Department of Environment and Natural Resources.

**TABLE 6- MONTHLY VOLUMETRIC CHARGES FOR SEWER**

<i>Residential In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$25.30
Each additional 1,000 gallons	\$ 5.97
<i>Commercial In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$25.30
Each additional 1,000 gallons	6.81
<i>Industrial In-County Rates</i>	
Minimum billing (0-2,500 gallons)	\$25.30
Each additional 1,000 gallons	\$ 6.81

**TABLE 7- MISCELLANEOUS FEES AND CHARGES**

Renter Deposit	\$75.00
Same Day Service Connection	\$50.00
Default Fee	\$50.00
After Hours Fee (lock list only)	\$150.00
Return Check Fee	\$25.00
Late Payment Penalty (\$5.00 or 5% whichever higher)	\$5.00/5%
Broken Lock Fee	\$25.00
Broken Meter Box Ears Fee	\$25.00
Tampering Fine	
First Offense	\$100.00
Second Offense	\$250.00
Third and Subsequent Offenses	\$500.00
Meter Replacement Fee if no malfunction	\$265.00
Meter Test Fee if no error found	\$75.00
Account Inactive Fee	\$25.00
Civil Penalty (for irrigation violations during mandatory drought restrictions)	
First Offense	\$50.00
Second Offense	\$250.00
Third and Subsequent Offenses	\$500.00

Mr. Deaton asked the Board to adopt a Resolution to adopt the Rafetelis study as dictated by the General Assembly and presented to the Board.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to adopt a Resolution to adopt the Rafetelis study as dictated by the General Assembly and presented to the Board.

**Public Comments:** Chairman Beam opened Public Comments.

Being no speakers, Chairman Beam closed Public Comments.

**Budget Ordinance Amendment #11: UPON MOTION** by Commissioner McCall, the Board voted unanimously to approve Budget Ordinance Amendment #11.

**Finance Officer's Report:** Deanna Rios presented the Finance Officer's Report.

**Budget Presentation:** Mr. Kelly Atkins said the tax rate will remain the same, at .611 in the upcoming budget and will also be looking at a Reval next year.

Josh Grant presented an overview of the 2018-19 budget, saying that Lincoln County Schools is the largest expenditure at 31.22%, followed by the Sheriff/Jail at 14.27%, DSS at 10.71%, EMS at 6.98%, Health at 4.86%, Building and Grounds at 3.51%, Debt Service at 2.99%. Revenues come mainly from property taxes (56%), Sales Taxes (18%), Federal Revenues (7%), Sales & Service Revenues (9%), followed by other funding sources.

The ad valorem property tax rate of \$.611 per \$100 with tax assessment at \$8.99 billion in FY 19. Property tax collection is at 98.5%

The total budget is \$102,884.364.

The tax rate is the 4<sup>th</sup> lowest of the neighboring counties, according to the NC Association of County Commissioners Annual Survey. Lincoln County has the 3<sup>rd</sup> lowest tax rate among counties with similar populations in North Carolina. The tax rate will remain at .611 for the fourth year.

The FY 2019 expenditures place emphasis on education, public safety, economic development, employee salaries and capital projects.

Deanna Rios, Finance Director, reviewed the Fund Balance, saying a previous BOC agreed by resolution to maintain a 15% Fund Balance. The proposed budget includes an appropriation of fund balance (\$3,346,021). As of the FY 17 Audit, Lincoln County currently had an unrestricted fund balance of approximately \$24,512,423 or 24% of the proposed budget. After the appropriation in FY 19, the unassigned fund balance will be approximately 20.57% or \$21,166,402.

Mr. Atkins thanked the Board for their hard work, patience and time spent on the budget this year.

**County Manager's Report:** Nothing reported

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

**County Commissioners' Report:** Nothing reported.

**Vacancies/Appointments:** None reported.

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

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Amy S. Atkins, Clerk  
Board of Commissioners

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Bill Beam, Chairman  
Board of Commissioners