

A G E N D A

LINCOLNTON CITY COUNCIL



February 6, 2025

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON
AGENDA
February 6, 2025
7:00 PM**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVALS

1a Approval of REGULAR AGENDA

1b Approval of CONSENT AGENDA

- January 9, 2025 - Regular Meeting Minutes
- January 15, 2025 - Joint Meeting with Lincoln County Board of Commissioners and Lincoln Economic Development Association Meeting Minutes
- Lincoln County Tax Department - request for release for December 16, 2024 - January 15, 2025
- Approval of the Records Retention and Disposition Schedules and Retention Periods Governing the Standards in the updated Program Records Schedule and the General Records Schedule
- Resolution Adopting Cleveland Gaston Lincoln Regional Hazard Mitigation Plan

PUBLIC COMMENT

Speakers will be limited to three (3) minutes to address Mayor and City Council. You must sign in with the City Clerk to be eligible to speak

SPECIAL PRESENTATION

a Presentation of Intermediate Certificate - John Delany

Brian Greene, Police Chief

b Proclamation - Celebrating February as Black History Month 2025

Ed Hatley, Mayor

2. PUBLIC HEARINGS

- 2a CZ-1-2025 Application from William Clayton/Sentry Rentals requesting a conditional district rezoning of approximately 1.94 acres of land from Neighborhood Business (NB) to General Manufacturing and Commercial (GMC) for the purpose of constructing a warehouse. The subject property is located on the north side of East NC 27 Highway, approximately 1000 feet east of the intersection of East Main Street and East NC 27 Highway (Parcel ID 87879, 23626, 26773, and 24900)**

Jean Derby, Planning Director

3. REGULAR AGENDA

- 3a Consideration of a Request to Adopt an Economic Incentive Grant Agreement between the City of Lincolnton and SPANTEK**

John Dancoff Lincoln Economic Development Association

- 3b Presentation of the Fiscal Year 2023-2024 Audit Report**

Lowdermilk Church & Co. L.L.P.

- 3c BA-02-25 Request for Amendment to the Annual Budget Ordinance for fiscal year ending June 30, 2025**

Pamela McBryde, Finance Director

4. REGULAR AGENDA

- 4a Consideration of Request to Adopt Proposed Whistleblower Policy**

Tanya Osborne, Human Resources Director

- 4b Update from the Young Adult Committee**

Trent Mason Chair

- 4c Resolution Ordering the Lincoln County Tax Administrator to Advertise Tax Liens for 2024**

Ritchie Haynes, City Manager

5. OTHER BUSINESS

- 5a Introduction of New Firesetter Intervention Program**

Ryan Heavner, Fire Chief

- 5b Consideration of Request from ABC Board Regarding Surplus Property**

Ritchie Haynes, City Manager

- 5c Manager's Report / Activity Update**

Ritchie Haynes, City Manager

NEWS MEDIA

CLOSED SESSION

In accordance with G.S. 143-318.11(a)(5) to establish or instruct the staff or agent concerning the negotiation of a price and terms of a contract concerning the acquisition of real property.

ADJOURNMENT

REGULAR MEETING – JANUARY 9, 2025

The Lincolnton City Council met in Regular Session on Thursday, January 9, 2025, at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, NC.

The following Council members were present and accounted for:

DEMENY JOHNSON TIPTON JETTON

Mayor Ed Hatley called the meeting to order, asking everyone to stand for a moment of silence, followed by the pledge of allegiance.

Councilmember Jill Tipton made a motion to approve the REGULAR AGENDA as submitted. Members voted 4-0 in favor of the motion.

Councilmember Kevin Demeny made a motion to approve the CONSENT AGENDA items as follows:

- November 7 2024 – Regular Meeting Minutes
- December 5, 2024 – Swearing in/ Organizational Meeting Minutes
- Appt-01-25 – Appointment of Taylor Eaddy to the Lincolnton Tourism Development Authority
- Appt-02-25 - Appointment of Tom Flohr to the Lincolnton Tourism Development Authority
- Lincolnton Tax Department – Request for Releases (November 16th – December 15th, 2024)
- Retirement Recognition – Laura K. Morris
- Retirement Recognition – Joseph A. Metts

Members voted 4-0 in favor of the motion.

Prior to moving on to the Public Comment portion of the meeting, Mayor Ed Hatley took the liberty to recognize Mr. Joe Metts as the longest tenured employee in the history of the City of Lincolnton. Mr. Metts announced his retirement, effective February 1, 2025, after 47 years of service. Mayor Hatley spoke about his personal relationship with Mr. Metts over the years and emphasized his selfless dedication and service to the city and the citizens of Lincolnton. When given the opportunity to make comments, Mr. Metts expressed his appreciation to the City, acknowledging the considerate and fair treatment he has received over the years.

PUBLIC COMMENT

Mayor Ed Hatley opened the public comment. Mr. Trent Mason, 207 Mockingbird Lane, Lincolnton, addressed Council during this portion of the meeting. Mr. Mason spoke to the success of the New Year's Eve Apple Drop event, informing that he will

REGULAR MEETING – JANUARY 9, 2025

give an official report at next month's Council (February 6, 2024) meeting. He recognized the selfless contributions of Betty Flohr, Director of the DDA, to the downtown activities and all of the countless hours she dedicated during the month of December. Mr. Mason also recognized all of the other individuals that help coordinate and work behind the scenes, recognizing that it takes everyone to make these events successful.

PUBLIC HEARINGS

ZMA-3-2024

Application from Matt Johnson requesting the rezoning of 0.316 acres from the General Business (GB) District to the Single and Two Family Medium Density Residential-8 (R-8) District. The subject property is located on the east side of North Aspen Street approximately 250 feet south of the intersection of Westview Drive and North Aspen Street. (Parcel ID 83196)

Mayor Ed Hatley opened the public hearing and recognized Jean Derby, Planning Director, to speak to the item.

Ms. Derby reviewed the request, explaining the location, as well as, the existing and proposed zoning. She disclosed the current use and gave detailed site information, providing both aerial and street views of the property. Ms. Derby referenced what the City Ordinance says about amendments to text and map, saying that except for conditional rezonings, neither planning board nor the city council shall evaluate a rezoning petition based on any specific proposed use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested rezoning district. Ms. Derby listed the uses allowed in the R-8 district, saying that the rezoning would have to include anything allowed in the district.

Ms. Derby spoke to land use compliance, reporting that staff believes that the rezoning is consistent with the Land Use Plan. She also reviewed staff comments from Planning, City Water/Sewer, NCDOT and Lincoln County Erosion Control. She presented staff's proposed Statement of Consistency and Reasonableness for both approval and denial of the application.

Ms. Derby reported that Planning Board voted unanimously in favor of approval and recommended the following actions:

REGULAR MEETING – JANUARY 9, 2025

1. Recommend approval of rezoning of the property from General Business to Residential 8
2. Approve the statement of consistency for approval of the rezoning request.

With no further questions, Mayor Ed Hatley asked for a motion to close the public hearing. **Councilmember Roby Jetton made a motion to close the public hearing. Members voted 4-0 in favor of the motion.**

Councilmember Kevin Demeny made a motion to approve the recommendation of the Planning Board. Members voted 4-0 in favor of the motion.

CZ-6-2024

Application from Target Corporation requesting a conditional district rezoning of 22.52 acres of land from the General Business (GB) District to the Commercial Center (CC) District for the purpose of constructing a retail store and up to three out parcels. The subject property is located on the west side of North Generals Blvd. at the northwest intersection of North Generals Blvd. and Tait Mill Road. (Parcel ID 00396).

Upon opening up the next public hearing, Mayor Ed Hatley called on Planning Director Jean Derby to speak to the request.

Ms. Derby reviewed the request for 319 North Generals Blvd. She stated the existing and proposed zoning. Ms. Derby informed that although the lot is currently vacant, the applicant is proposing a large retail store with up to three outparcels. She provided an aerial view of the property, as well as several street views of the property. She pointed out where the main entrance and the back entrance would be, noting that a traffic signal will be required for both. Ms. Derby reviewed the site plan for the 128,000 square foot building and area included in the project. She presented the elevations of the front, rear and side of the building. She talked about the proposed landscaping, stating that the plan is to leave as much of the existing trees as possible. Street trees and a little more screening will be required on the side and throughout the parking lot. Ms. Derby informed that a sidewalk will be required on North Generals Blvd. and along Tait Mill Rd.

Ms. Derby spoke to the land Use Plan, and how it currently shows the property. She stated that staff feels that the Planned Business area would be more suitable for this area and the Land Use Map should be amended. Ms. Derby presented a number of

REGULAR MEETING – JANUARY 9, 2025

conditions of approval from all of the different departments involved. She presented the proposed Statement of Consistency and Reasonableness for approval and the proposed Statement of Consistency and Reasonableness for denial of the application. She informed that the Planning Board unanimously voted in favor of approval and recommended the following actions:

1. Recommend approval of rezoning for the property from GMC to CC
2. Approval of the Statement of Consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval
4. Amend the Land Use Plan to show the property in the Planned Business Planning Area

With no questions from Council, Planning Director Jean Derby recognized Mr. Carlton Burton, the engineer, and Aaron Hemquist, representative / spokesperson for Target. Mayor Ed Hatley opened the floor for either to speak to the project. Mr. Hemquist took the podium to address Council. In addition to the information presented by Ms. Derby, Mr. Hemquist spoke to the various permits that will be required for the project to move forward. With all permits in place by March or April, they are hoping to close on the property and start construction in April. He estimated opening late 2026, however any delays would push it to 2027. Mr. Hemquist spoke to plans to install a traffic signal as part of the scope work at Tait Mill Rd to address the concerns of the neighborhood residents.

Mayor Ed Hatley opened the floor for members of the public to speak to the issue. Ms. Jocelyn Barber, a resident of 326 Newcastle Ave., addressed Council about some of the neighborhood concerns with the project. Ms. Barber stated the biggest concern being traffic flow and addressing the negative impact it could have on the neighborhood. Mr. Hemquist responded, stating that with the addition of the traffic signal should alleviate a lot of those problems and make it much safer than it is currently to move in and out.

Councilmember Jill Tipton made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Councilmember Kevin Demeny made a motion to approve the request as submitted by the planning board. Members voted 4-0 in favor of the motion.

Following approval of the request, Mayor Hatley stressed what a pleasure it has been to work with the applicants. Councilmember Roby Jetton expressed his concern for the resident in the Newcastle neighborhood, stating that the wellbeing of those residents should be a priority as it relates to this project.

REGULAR AGENDA

BA-01-25

Request for amendment to be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2025

Mayor Ed Hatley recognized Pamela McBryde, Finance Director, who addressed the Council to request approval of an amendment to the Annual Budget Ordinance for the fiscal year ending June 30, 2025. Ms. McBryde reviewed the request, which contained adjustments to the General Fund, Powell Bill Fund, Water and Sewer Fund, Electric Fund and the Special Revenue Fund. A total amendment of \$364,202.00.

Councilmember Jill Tipton made a motion to approve the Budget Amendment as submitted. Members voted 4-0 in favor of the motion.

IT-001 (P-01-25)

Policy on Prohibition of Viewing Pornography on Government Networks and Devices

Mayor Ed Hatley recognized Chris Jones, Technology & Innovation Director, to speak to the item. Mr. Jones stated the City currently has an Acceptable Use policy in place, however this proposed policy aligns with N.C. General Statute 143-805. This policy requires agencies to establish guidelines prohibiting the viewing of pornography on government-managed networks and devices, as well as requiring the City to report any findings to the state CIO.

Mr. Jones reported that the UMBRELLA platform will be used to monitor, stating that anything is flagged is reported once a year.

Councilmember Roby Jetton made a motion to approve the policy as submitted. Members voted 4-0 in favor of the motion.

IT-002 (C-01-25)

Knowbe4 Proposal 3YR 2025-2027

Technology & Innovation Director Chris Jones addressed member to request approval of a three (3) year contract proposal between the City of Lincolnton and Knowbe4, referred to it as the monthly fish training. Mr. Jones spoke to how beneficial this training has been to the employees and the City as a whole. He

REGULAR MEETING – JANUARY 9, 2025

informed he was able to negotiate a three-year contract for \$16,147.11, which is slightly higher than the current amount.

Councilmember Mark Johnson made a motion to approve as submitted. Members voted 4-0 in favor of the motion.

C-02-2025

Request for Approval of Contract with Becker Morgan Group – Professional Services for New Public Service Center

Mayor Ed Hatley called on David Ramsey, Business Services Director. Mr. Ramsey addressed members to request approval of a contract with Becker Morgan Group for professional services. He gave an abbreviated timeline regarding the new public service center project, explaining that this action will move it from the design phase into a schematic phase. Mr. Ramsey described it as a turnkey contract at 9.5%, based on approximately \$8.5 million for a total of \$887,500.00. He reminded that due to hiring the Construction Manager at Risk, the price is guaranteed unless the City makes changes to the project.

There was some discussion, with City Manager Ritchie Haynes recognizing Mr. Ramsey and other staff for all of the work that has gone into getting the price down from the initial estimate.

Councilmember Kevin Demeny made a motion to approve the contract as submitted. Members voted 4-0 in favor of the motion.

STAline

Remote Water Disconnect Pilot Project Approval

Business Services Director David Ramsey addressed Council to request permission to participate in a pilot project that will give staff the ability to remotely disconnect water meters. Mr. Ramsey provided some background information, explaining the reason for the request and the benefits they have to offer. He explained how the meters work and their potential use throughout the City. He also provided details related to the equipment itself and he spoke to the service and software maintenance, stating that there would be no recurring cost. Mr. Ramsey requested permission to pilot ten (10) meters.

Discussion was generated, with members asking a number of questions. City Manager Ritchie Haynes, as well as, Technology & Innovation Director Chris Jones

REGULAR MEETING – JANUARY 9, 2025

provided feedback and addressed question asked about potential saving the City would see and the susceptibility to hackers. A bid for \$5,292.00 submitted by Mr. Ramsey.

Councilmember Jill Tipton made a motion to approve the trial contract with STAlene. Members voted 4-0 in favor of the motion.

Consideration of Approval of the 2024-2025 Schedule of Budgeted Positions

Human Resources Director Tanya Osborne presented a request to approve a revised budgeted position list. Ms. Osborne explained that in order to recruit for the four (4) new positions that will be funded by the \$500,000 COP's grant, the positions must be placed into the City's budgeted position listing.

Councilmember Kevin Demeny made a motion to approve the revised budgeted position listing. Members voted 4-0 in favor of the motion.

OTHER BUSINESS

C-03-25

Assignment and Assumption Agreement for the Lincoln-Lincoln County Regional Airport

City Manager Ritchie Haynes presented a revised copy of the Assignment and Assumption Agreement for the Lincoln-Lincoln County Regional Airport. Mr. Haynes explained that County Attorney Megan Gilbert has been working with the FAA to finalize the transfer of the airport property to the County.

Councilmember Roby Jetton made a motion to approve the revised agreement. Members voted 4-0 in favor of the motion.

Manager's Report / Activity Update

City Manager Ritchie Hayne reported that in light of the impending weather forecast, city crews have taken the necessary precautions to prepare. He ensured that he would keep members updated.

REGULAR MEETING – JANUARY 9, 2025

Mr. Haynes mentioned a number of dates and upcoming activities for the month. He also spoke about the Apple Drop Event and Santa Village, taking the opportunity to thank everyone that helped make it a success. Mr. Haynes reported on the train and what a hit it was every weekend. There was discussion regarding having adequate police coverage for the activities and events.

Mr. Haynes mentioned the Employee Christmas Luncheon, thanking all of the many different city departments and employees for their contribution to make it possible. He announced several recent promotions and certifications obtained by employees. Mr. Haynes provided the monthly homeless report, a report from the United Way and he gave a brief update on the new social district signage. He announced that Mr. Scott Clark has been hired as the new Assistant City Manager.

NEWS MEDIA

Staff reporter Mike Powell asked for clarification on the COP's grant. He also had a question regarding the grant awarded to the police department.

CLOSED SESSION

Councilmember Roby Jetton made a motion to go into closed session. Members voted 4-0 in favor of the motion.

ADJOURNMENT

Upon returning to open session, Councilmember Kevin Demeny made motion to adjourn. Members voted 4-0 in favor of the motion.

**DAPHNE INGRAM, CMC
CITY CLERK**

**ED HATLEY
MAYOR**

SPECIAL JOINT MEETING - JANUARY 15, 2025
LINCOLN ECONOMIC DEVELOPMENT ASSOCIATION
LINCOLNTON CITY COUNCIL
LINCOLN COUNTY BOARD OF COMMISSIONERS

The Lincolnton City Council, Lincoln Economic Development Association, and the Lincoln County Board of Commissioners held a joint meeting on Wednesday, January 15, 2025 at 8:45 a.m. at the Lincoln County Administration Building located at 353 N. Generals Blvd., Lincolnton, North Carolina, 28092.

Mr. Jamie Lineberger, Chair of the Lincoln County Board of Commissioners, call the Commissioner meeting to order, which was followed by Mayor Ed Hatley calling the meeting for the Lincolnton City Council to order. City Council elected officials and staff that were in attendance were as follows:

Mayor Ed Hatley
Kevin Demeny
Mark Johnson
City Manager Ritchie Haynes
City Attorney John Friguglietti,
City Clerk Daphne Ingram

ABSENT: City Councilmember Jill Tipton and City Councilmember Roby Jetton

Mr. David Lee, Chair for the LEDA board, called the meeting to order. Various board members and staff were in attendance and on hand to discuss issues if called upon.

Addressing the group, Mr. Cliff Brumfield, LEDA Director, thanked everyone for attending and directed everyone's attention to the meeting agenda. After introductions, Mr. Brumfield reviewed LEDA's mission statement and spoke to each of the organization's goals as:

Retention and Expansion of Existing Businesses
Attraction of Diversified Base Industries,
Improvement of the Overall Business Climate with Lincolnton and Lincoln County
Assisting Small Business Start Ups and Expansions

Mr. Brumfield also gave a detailed overview of the strategic objectives and a 2024 recap. The 2024-2025 Strategic Objectives were presented as follows:

- Existing Industry-World Class service to existing industries, champion workforce and pipeline development through established means plus seeking private partnership in combined training center, coordinate BRE FDI visit to native HQ's
- Small Business and Entrepreneurship – Partner in local leaderships vision for growth realized, expand available service knowledge to greater business community across county, collaborate with property owners to best prepare for new business locations

- Organizational Management – Advance product development efforts with landowners, leadership; ensure team has resources needed to succeed, ensure City/County priorities are met, prepare for organization's future, seek additional private member support.
- Business Development – Robust marketing plan for advanced product offerings and organization, establish communication and development potential for identified future sites, collaborate with BRE in WF planning maximize existing speculative development potential
- Office and Information Management – Enhance stakeholder communications, ensure legacy data systems are adequate for future needs, increase use of data resource platforms

Facts and statistics on Lincoln County manufacturing were reviewed, and the incredible brick and mortar progress on announced new investments was highlighted. Mr. Brumfield informed that new investments by industries in Lincoln County for FY 23/24 totaled \$361,190,289, with 297 jobs announced. He stated that Lincoln County ranked 7th in the state for job creation and 10th in the state for new investment for fiscal year 2024.

Mr. Brumfield continued his presentation as he spoke about business development missions and the importance of relationships. He mentioned Select USA, the Industrial Managers Association (IMA), the October Industrial Appreciation Events and the supply chain & logistic appreciation event that was held. He talked about the Lincoln County Schools student tours to the various industries, which led to what he called solutions through partnership, linking economic development, education and business/industry. Mr. Brumfield recognized Mrs. Kara Brown for her hard work and the awards received because of it.

There was discussion regarding future plans for Lincoln Campus Gaston College and the work being done to construct a training center to address the growing needs in the workforce. Mr. Brumfield went on to report on Small Business and Entrepreneurs and the growth that took place in 2024 and the LEDA website redesign before directing attention back to the 2024-205 strategic objectives and opening the floor for comments from those in attendance.

Mayor Ed Hatley and various others made comments during this time, stressing the importance of the partnership between the City of Lincolnton, Lincoln County and the Lincoln Economic Development Association, the importance of the career center, and critical need for affordable housing in the city and the county. City and County collaboration and the courthouse project, with its challenges were discussed. Megan Gilbert, the County Attorney, gave an update on the airport, informing that both the Board of County Commissioners and the Lincolnton City Council acted at their last

meetings to complete what should be the finale step of the process. There was some discussion regarding the AMC property (old movie theater), construction of a new library in east Lincoln County, the Riverbend project and shared services.

ADJOURNMENT:

With no more discussion, Mayor Ed Hatley called for a motion to adjourn. Councilmember Mark Johnson made the motion to adjourn. Members voted 2-0 in favor of the motion.

**DAPHNE INGRAM, CMC
CITY CLERK**

**ED HATLEY
MAYOR**

PERIOD COVERED

December 16, 2024 through January 15, 2025

CITY RELEASES LESS THAN \$100

<u>NAME</u>	<u>YEAR</u>	<u>DIST</u>	<u>A/C NO</u>	<u>AMOUNT</u>	<u>REASON</u>
Taylor, Cathy B	2024	22	0152822	\$25.97	sold 12/01/2023
Valhalla Southland Inc	2024	22	0300332	\$56.94	now a tagged vehicle

Total: \$82.91

SUBMITTED BY:



DATE: 1/22/25

SUSAN SAIN, TAX ADMINISTRATOR

APPROVED BY:

DATE: _____

RICHARD HAYNES, CITY MANAGER

PERIOD COVERED

December 16, 2024 through January 15, 2025

CITY RELEASES \$100 AND OVER

<u>NAME</u>	<u>YEAR</u>	<u>DIST</u>	<u>A/C NO</u>	<u>AMOUNT</u>	<u>REASON</u>
Liberty Baptist Church	2024	22	33610	\$4,489.05	Board of E&R approval

SUBMITTED BY:


SUSAN SAIN , TAX ADMINISTRATOR

DATE: 1/22/25

APPROVED BY:

RICHARD HAYNES , CITY MANAGER

DATE: _____

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

CONTENTS

Approval	iv
Front Matter	
Executive Summary	v
Legend for Records Schedule	vii
Records Retention and Disposition Schedule	
Standard 1: Administration and Management Records	1
Standard 2: Budget, Fiscal, and Payroll Records	23
Standard 3: Geographic Information System Records	36
Standard 4: Human Resources Records	43
Standard 5: Information Technology Records	61
Standard 6: Legal Records	67
Standard 7: Public Relations Records	75
Standard 8: Risk Management Records	80
Standard 9: Workforce Development Records	86
Appendix	
Managing Public Records in North Carolina	A-1
Audits, Litigation, and Other Official Action	A-5
Transitory Records	A-6
Destruction of Public Records	A-8
Sample Destructions Log	A-10
Electronic Records: E-mail, Born Digital Records, and Digital Imaging	A-11
Geospatial Records	A-13
Security Preservation Copies of Records	A-15
Disaster Assistance	A-17
Staff Training	A-18
Request Forms	
Request for Change in Records Schedule	A-19
Request for Disposal of Unscheduled Records	A-20
Request for Disposal of Original Records Duplicated by Electronic Means	A-21
File Plan	A-22
Related Records Series in Program Schedules	A-23
Index	A-30

2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends*.” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends*.” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends*.”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

RECORDS RETENTION AND DISPOSITION SCHEDULE

PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

CONTENTS

Approval	iv
Front Matter	
Executive Summary	v
Legend for Records Schedule	vi
Records Retention and Disposition Schedule	
Standard 10: Airport Authority Records	1
Standard 11: Animal Services Records	3
Standard 12: Code Enforcement and Inspection Records	5
Standard 13: Emergency Medical Services and Fire Department Records	12
Standard 14: Parks and Recreation Records	16
Standard 15: Planning and Regulation of Development Records	19
Standard 16: Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records	25
Standard 17: Public Transportation Systems Records	31
Standard 18: Public Utilities and Environmental/Waste Management Records	34
Standard 19: Street Maintenance, Public Works, and Engineering Records	46
Standard 20: Law Enforcement Records (excluding Sheriff's Office)	53
Standard 21: Tax Records (for municipalities)	73
Appendix	
Managing Public Records in North Carolina	A-1
Audits, Litigation, and Other Official Actions	A-5
Transitory Records	A-6
Destruction of Public Records	A-8
Sample Destructions Log	A-10
Electronic Records: E-mail, Born Digital Records, and Digital Imaging	A-11
Geospatial Records	A-13
Security Preservation Record Copies	A-15
Disaster Assistance	A-17
Staff Training	A-18
Request Forms	
Request for Change in Records Schedule	A-19
Request for Disposal of Unscheduled Records	A-20
Request for Disposal of Original Records Duplicated by Electronic Means	A-21
File Plan	A-22
Index	A-23

Program Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

10. Airport Authority Records
11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)
21. Tax Records (for municipalities)

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends*.” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends*.” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends*.”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

² Ibid.

APPROVAL RECOMMENDED

Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

County/Municipality: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a [Request for Disposal of Unscheduled Records](#) (page A-19) for records that are no longer being created.

RESOLUTION
ADOPTING CLEVELAND GASTON LINCOLN
REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within the City of Lincolnton are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to drought, extreme heat, hailstorm, hurricane and tropical storm, lightning, thunderstorm wind/high wind, tornado, winter storm and freeze, flood, hazardous material incident, and wildfire; and

WHEREAS, the City of Lincolnton desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Article 5, Section 160D-501 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (*State emergency assistance funds*) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the City of Lincolnton has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Lincolnton City Council to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, THEREFORE, be it resolved that the City Council of Lincolnton hereby:

1. Adopts the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan.

2. Vests Lincoln County Emergency Management with the responsibility, authority, and the means to:

- (a) Inform all concerned parties of this action.
- (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.

3. Appoints Lincoln County Emergency Management to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Lincoln County Board of Commissioners for consideration.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted this the 6th day of February, 2025.

Edward Hatley, Mayor
City of Lincoln

Attest:

Daphne Ingram, City Clerk
City of Lincoln

Certified by: _____ (SEAL)

Date: _____

CITY COUNCIL

Ed L. Hatley, Mayor
Kevin Demeny, Mayor Pro Tem
Mark Johnson
Jill Tipton
Roby Jetton



CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
John M. Friguglietti, Jr.

PROCLAMATION

Celebrating February as Black History Month 2025

WHEREAS, during Black History Month we honor the extraordinary contributions made by African Americans through the history of our Republic, and we renew our commitment to liberty and justice for all; and

WHEREAS, during Black History Month we recognize the achievements of African Americans and their role in shaping history along with the contributions that African Americans have made to enhance the economic, cultural, spiritual and political development of our Country; and

WHEREAS, during Black History month we recognize the essential role of African Americans in shaping the story of America and honor their courage and contributions; and

WHEREAS, the omission of much of the history and contributions of African Americans from textbooks and other literature has impeded awareness and appreciation; and

WHEREAS, the celebration of Black History Month is a positive way of recognizing the culture and history of African Americans as vital to the core beliefs and values of this society; and

WHEREAS, observing Black History Month provides opportunities to gain a deeper understanding of African American history and acknowledge the centuries of struggles for equality and freedom.

NOW, THEREFORE, THE LINCOLNTON CITY COUNCIL does hereby proclaim and declare the month of February as "Black History Month" in Lincolnton, North Carolina, and further encourages all citizens to observe the month with appropriate programs, ceremonies, and activities.

Adopted on this 6th day of February, 2025.

Ed Hatley, Mayor
Lincolnton City Council

Daphne Ingram, City Clerk



Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

Public Hearing Staff Analysis

CZ-1-2025

E NC 27 HWY

Parcels 87879, 23626, 26773, 24900



Zoning

Existing: Neighborhood Business (NB)

Proposed: General Manufacturing and Commercial Conditional District (GMC-CD)

Current Use

Vacant lots

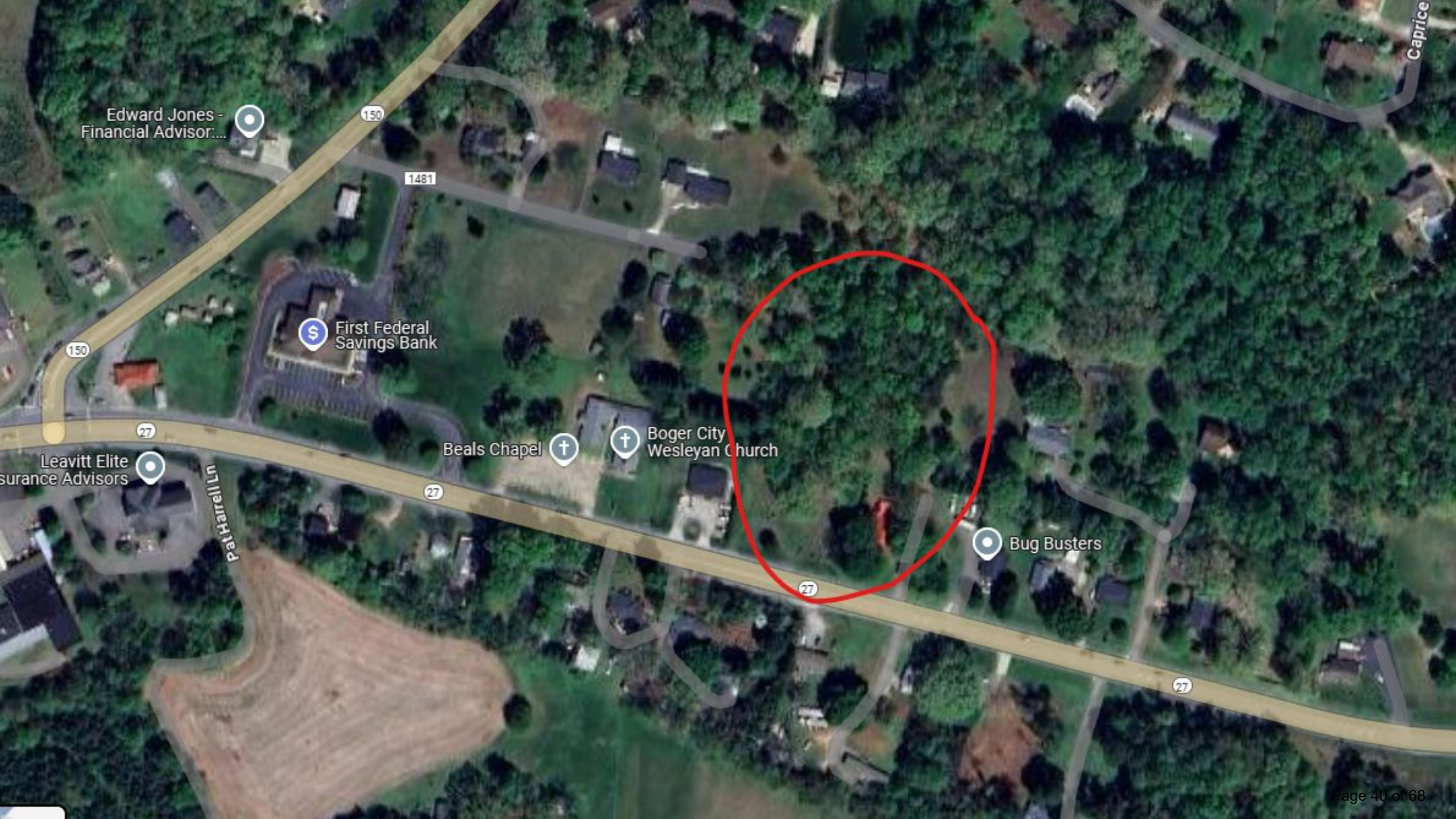
Proposed Use:

Warehouse for storage and delivery of incontinence and nutrition products throughout North Carolina.











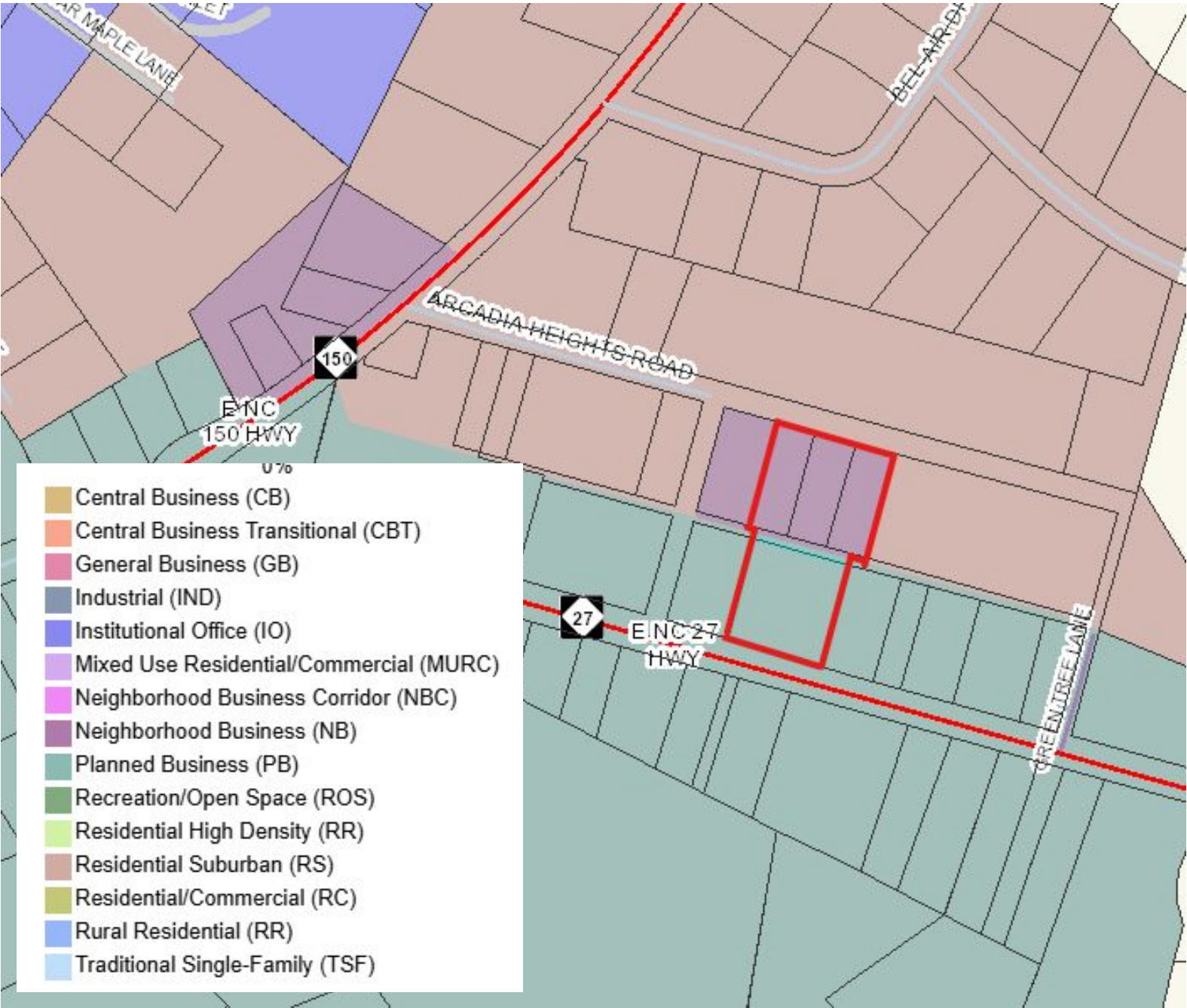
LAND USE PLAN COMPLIANCE

The land use plan shows the property in the **Neighborhood Business and Planned Business Planning Area**.

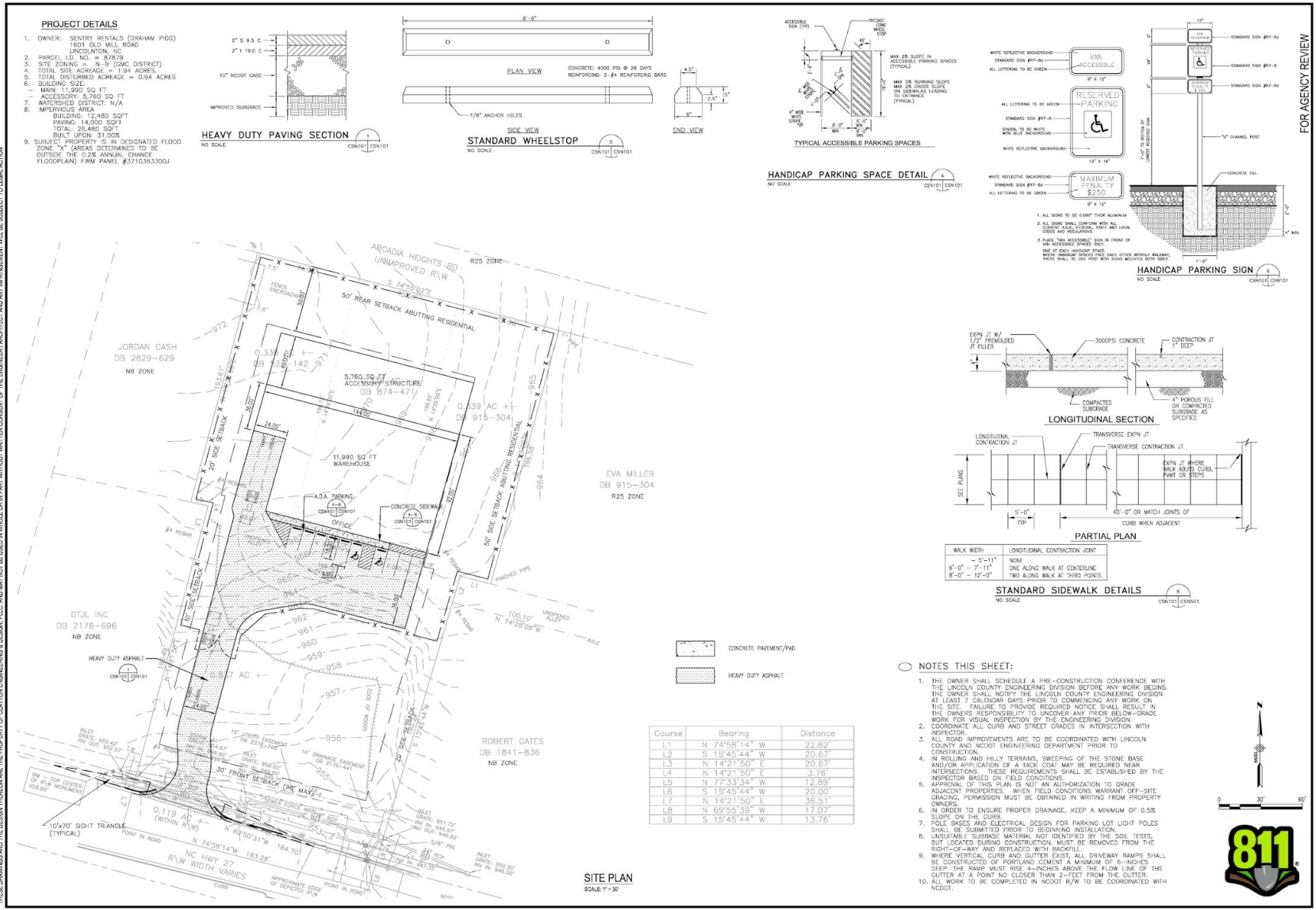
Neighborhood Business These planning areas are for small business clusters that cater to the needs of a relatively small trading area. Accordingly, they are appropriate for smaller-sized stores and establishments. Such areas are not designed to be Citywide commercial destination spots. Neighborhood business planning areas are designed to be compact in nature (as opposed to elongated strips along a thoroughfare) and located at key road intersections.

Planned Business The large majority of commercial uses (outside Downtown Lincolnton) are likely to occur in planned business areas. Planned business areas are designed to be the City's "destination shopping areas." They encompass most larger shopping centers and commercial areas along the City's major corridors.

Staff feels that this project is consistent with the Land Use Plan.



THESE DRAWINGS AND THE DESIGN THEREON ARE THE PROPERTY OF CLAYTON ENGINEERING & DESIGN, P.L.C. AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT OF THE ENGINEER/ARCHITECT AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Conditions of Approval

City Planning:

1. Front setback needs to be corrected to show 50'. Plan shows 30'.
2. Left side setback needs to be corrected to show 20'. Plan shows 10'.
3. Parking spaces need to be 9' x 19' per ordinance requirements. Plan shows 9' x 18'. Need parking calculations showing one space per employee during the shift with greatest employment in addition to spaces to be used for vehicles used in the operation.
4. Alleyway must be legally closed prior to construction.
5. A recombination plat would need to be submitted for approval combining the 4 parcels into one parcel.
6. A complete set of final civil drawings, including a detailed landscape, must be submitted. The drawings must also comply with any applicable federal and state requirements and any additional federal, state, county, and/or city policies and ordinances and be approved by all departments.
7. Need a plan meeting ordinance requirements for screening, landscaping and parking lot landscaping to be reviewed during site plan approval. Any newly planted trees for landscaping or screening cannot be located under utility lines.
8. Plan needs to show any existing wooded areas that are to remain.
9. Building plans must be submitted and approved by Lincoln County Inspection prior to development.

Lincoln County Erosion Control – Danielle Rudisill

1. Provide an Erosion Control plan and a copy of the NCDOT driveway approval with the Erosion Control application to our office

Conditions of Approval

NCDOT - Travis Jordan

1. Applicant will need to obtain a driveway permit and an encroachment agreement for utilities
2. Dimensions for turn radius need to be labeled
3. Driveway from the road needs to be straight as far as possible (at least 50'-75')

Lincolnton Fire Department - Gary Stevenson

1. Meet the requirements of Appendix D of the North Carolina State Fire Code.
2. An approved water supply for fire protection shall be made available before combustible materials arrive on the site. The water supply shall be approved by the City of Lincolnton Fire Marshal. Section # 3312 of the North Carolina State Fire Code.

City Public Works – Nathan Eurey

1. No comments - property is in the ETJ

City Water Resources- Todd Elmore

1. Will need a water line extension permit from NCDEQ
2. Will install water line to connect to the existing water line in front of 2863 E NC 27 Hwy

NOTE: The conditional zoning has an expiration date of 5 years from the date of approval. Any adjustments to the conditions of approval that do not affect the overall layout of the site plan and that are technical in nature, can be approved by the department making the comment/condition.

Staff's Proposed Statement of Consistency and Reasonableness for **APPROVAL** of Application

Case No. CZ-1-2025

Applicant: William Clayton and Buddy Pigg

Parcel ID#: 87879, 23626, 26773, 24900

Location: E. NC 27 Hwy, Lincolnton

Request: Rezone from NB and GMC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business and Planned Business Planning Areas. The proposed rezoning request **is consistent** and reasonable with the Lincolnton Land Use Plan in the following ways.

CONSISTENT:

- It expands commercial development along E NC 27 Hwy

REASONABLE:

- Developing vacant land that is currently underutilized
- Reusing an existing property that is commercially zoned

Staff's Proposed Statement of Consistency and Reasonableness for **DENIAL** of Application

Case No. CZ-1-2025

Applicant: William Clayton and Buddy Pigg

Parcel ID#: 87879, 23626, 26773, 24900

Location: E. NC 27 Hwy, Lincolnton

Request: Rezone from NB and GMC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. This use is not desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

Planning Board Vote

6-0 in favor of approval

Planning Board recommends the following actions:

1. Recommend approval of rezoning of the property from NB to GMC(CD)
2. Approve the statement of consistency and reasonableness for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval

MOTIONS FOR PUBLIC HEARING

For approval of request:

- Motion to approve as recommended by staff.

For denial of request:

- Motion to deny request for rezoning.
- Motion to approve statement of consistency for denial of request.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: February 6, 2025
From: John Dancoff Lincoln Economic Development Association
Subject: Consideration of a Request to Adopt an Economic Incentive Grant Agreement between the City of Lincolnton and SPANTEK

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

1. Agreement Contract -City 2-6-25
2. City Resolution, 2-6-25

CITY OF LINCOLNTON INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 6th day of February 2025, by and between THE CITY OF LINCOLNTON , a body corporate and politic (hereinafter referred to as “the CITY”), and SPANTEK, a Minnesota corporation (hereinafter referred to as “SPANTEK”).

WITNESSETH:

WHEREAS, SPANTEK has developed plans for the installation of new manufacturing machinery and equipment in the City of Lincolnton, North Carolina; and

WHEREAS, the City of Lincolnton verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of The City of Lincolnton and to the welfare of its citizens; and

WHEREAS, the City Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding the City of Lincolnton’s tax base and providing additional jobs for City of Lincolnton’s citizens that pay wages higher than the current prevailing average hourly wage in the particular industry; and

WHEREAS, the City Council has determined that it is appropriate and in the best interests of The City of Lincolnton and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the City Council believes that it is appropriate and reasonable to expect SPANTEK to bind itself to the City to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the City;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before February 6, 2025 (actual effective date will be the start of the project) SPANTEK shall begin installation of equipment and machinery in the City of Lincolnton, North Carolina.

2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), SPANTEK shall make an investment upon such site in (building/land and/or machinery and equipment of \$3,850,000, (the expected capital investment) of which \$3,205,000 will qualify for incentives under the City of Lincolnton Industrial Incentive Grant Policy.

3. Within two years of the effective date of this agreement, SPANTEK shall provide at such site at least 4 new jobs paying average wages of \$1000 a week.

4. In consideration of the performance of the aforesaid obligations by SPANTEK, the City will provide cash grants to SPANTEK of \$12,018.75 per year for a five-year period. The City of Lincolnton will pay such grants beginning in the tax year after the project’s completion. Grants

will be paid to SPANTEK within 30 days after SPANTEK has made its tax payment for the then current year and has notified Lincoln Economic Development Association of the payment. This amount represents a Level 2 grant under the City of Lincolnton Industrial Development Incentive Grant Policy for New and Existing Industries.

5. SPANTEK shall on a no less than annual basis provide evidence satisfactory to the City of Lincolnton how many jobs (as provided in Paragraph 3 herein) it has maintained.

6. a. In the event that the value of the investment actually made by SPANTEK pursuant to this agreement is greater or less than the Expected Capital Investment then the grant will be equitably adjusted upward or downward on a pro-rata basis.

b. In the event that the number of people in qualifying jobs actually employed by SPANTEK pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, then the City may, in its discretion, reduce the amount of the Grant to be paid for the year (or seek reimbursement for the Grant already paid for said year) in the amount of \$1,000.00 per job shortfall.

7. SPANTEK specifically agrees that in the event that all or any portion of this agreement or any incentive grant or payment to be made hereunder is declared to be unconstitutional, illegal, or otherwise enjoined by a court of competent jurisdiction, SPANTEK shall indemnify and hold harmless the City of Lincolnton and the members of the City Council, individually and collectively, from any loss or liability and shall reimburse the City of Lincolnton by the amount of any such grant or payment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

COMPANY

By: _____
President

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor
City of Lincolnton

ATTEST:

Daphne Ingram
Clerk to the City Council

STATE

COUNTY

This the ____ day of _____, 20____, _____ personally came before me _____ and acknowledged that he/she is _____ of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument its name on its behalf as its act and deed.

Witness my hand and official stamp or seal, this ____ day of , 20_ .

My Commission Expires: _____ Notary
Public

NORTH CAROLINA

LINCOLN COUNTY

This the ____ day of _____, 20____, personally came before me Daphne Ingram, Clerk to the City Council of the City of Lincolnton, North Carolina, who being by me duly sworn says that she knows the common seal of the City of Lincolnton, North Carolina and is acquainted with Ed Hatley, who is the Mayor of the City of Lincolnton, North Carolina, and that she, the said Daphne Ingram, is Clerk to the City Council of the City of Lincolnton, North Carolina, and saw the Mayor of the City of Lincolnton, North Carolina, sign the foregoing instrument and affix said seal to said instrument and that she, the said Daphne Ingram, signed her name in attestation of said instrument in the presence of said Mayor of the City of Lincolnton, North Carolina.

My Commission Expires: _____ Notary
Public

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH SPANTEK**

WHEREAS, the Lincolnton City Council verily believes that it is in the best interests of the citizens of the City of Lincolnton to encourage and support economic development within the City of Lincolnton through the recruitment of new industries to the City and the expansion of existing industries in the City; and

WHEREAS, Spantek, have developed plans for expansion of the manufacturing facility in the City of Lincolnton; and

WHEREAS, the City Council wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincolnton City Council hereby approves the City of Lincolnton Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among City of Lincolnton and Spantek.

2. The Mayor of the City of Lincolnton and the Clerk to the Council are hereby authorized to sign all necessary documents on behalf of the City of Lincolnton in order to effectuate this transaction.

3. This resolution shall become effective upon adoption.

This 6th day of February, 2025.

Ed Hatley
Mayor

ATTEST:

Daphne Ingram
City Clerk



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: February 6, 2025
From: Lowdermilk Church & Co. L.L.P.
Subject: Presentation of the Fiscal Year 2023-2024 Audit Report

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None

CITY COUNCIL

Ed L. Hatley, Mayor
 Kevin Demeny, Mayor Pro-Tem
 Roby D. Jetton
 Mark Johnson
 Jill Tipton

**CITY MANAGER**

Richard Haynes
rhaynes@lincolntonnc.org

CITY CLERK

Daphne Ingram
dingram@lincolntonnc.org

CITY ATTORNEY

John M. Friguglietti, Jr.
john@davidsonlawyers.net

BA-02-25

BE IT ORDAINED by the Governing Board of the City of Lincolnton, North Carolina, that the following amendment be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2025.

Section 1: To amend the General Fund, the expenditures are to be changes as follows:

General Expense	\$	60,159
Police		6,681
Solid Waste		560
Planning/Zoning		1,475
	\$	68,875

Section 2: To amend the General Fund, the revenues are to be changed as follows:

PD: Controlled Substance Tax	\$	6,681
SW: Rollout Fees		560
General: Cemetery Lot Sales		2,375
P&Z: Zoning Department Fees		1,475
General: Interest		56,149
General: Insurance Settlement		1,635
	\$	68,875

General Fund: NCDOR Controlled Substance Tax, Misc Revenues for the P&Z and Solid Waste departments, Interest income, Insurance/Repair Settlements from: (1) NC Farm Bureau-Trash Receptable damage; (2)State Farm-Flint Street Pole damage & Federal Equity Interest income.

Section 3: To amend the Powell Bill Fund, the expenditures are to be changes as follows:

Powell Bill Construction/Other	\$	104,228
--------------------------------	----	---------

Section 4: To amend the Powell Bill Fund, the revenues are to be changed as follows:

Powell Bill Allocation		102,259
Investment Income	\$	1,969
	\$	104,228

Powell Bill Fund: Record interest income earned & final installment true-up.

Section 5: To amend the Water and Sewer Fund, the expenditures are to be changes as follows:

Distribution and Collection	\$	2,010
Wastewater Treatment Plant		34,678
	\$	36,688

Section 6: To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Investment Income	\$	34,628
Connection Charges		2,010
Other Operating Revenues		50
	\$	36,688

Water and Sewer Fund: Freedom Equals Realty Group LLC connection fees, miscellaneous water fee, and Interest income earned.

Section 7: To amend the Electric Fund, the expenditures are to be changes as follows:

Electric Operations	\$	36,346
---------------------	----	--------

Section 8: To amend the Electric Fund, the revenues are to be changed as follows:

Investment Income	\$	26,488
Other Operating Revenue		9,858
	\$	36,346

Electric Fund: Interest income earned, Electric meter charges, and Insurance settlement from State Farm-Flint Street pole damage.

Section 9: To amend the Special Revenue Fund, the expenditures are to be changed as follows:

AIA Grants-Water-D-ARP-0243	\$	2,400
	\$	2,400

Section 10: To amend the Special Revenue Fund, the revenues are to be changed as follows:

AIA Grants-Water-D-ARP-0243	\$	2,400
	\$	2,400

Special Revenue Fund: Record NCDEQ-AIA Grant Reimbursements for WasteWater.

Section 16: Appropriations are authorized by fund totals. The City Manager is authorized to reallocate fund appropriations among line item objects of expenditures and revenues as necessary during the budget year.

Section 17: Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Director to be kept on file by them for their direction in the disbursement of funds.

248,537

Adopted this 6th day of February, 2025

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

City of Lincolnton
114 West Sycamore Street
P. O. Box 617
Lincolnton, North Carolina
28093-0617



Human Resources Department
Phone (704) 736-8980
FAX (704) 736-8975
www.lincolntonnc.org

MEMORANDUM

To: Mayor and City Council Members
Through: Ritchie Haynes, City Manager
From: Tanya Osborne, Human Resources Director
Re: Proposed Administrative Policy #24 Whistleblower Policy
Date: February 6, 2025

Chief Greene is working on a grant application for the Byrne-Justice Assistance Grant (Jag) Community Mental Health Initiative. His grant application is for up to \$75,000 per year for a two-year period of time. If approved the maximum amount awarded would be \$150,000.

Part of the grant application process requires the entity applying to have an approved Whistleblower policy in effect. This policy outlines procedures for individuals to report matters of public concern and prohibits retaliatory action for the reporting.

Attached is a draft copy for the Council's review. The policy has been modeled after the same type of policy approved by a sister city. At this time, I would ask for the City Council's consideration of the following:

1. Approval of proposed Administrative Policy #24 Whistleblower Policy.

Attachment

CITY OF LINCOLNTON

ADMINISTRATIVE POLICY

Subject: Whistleblower Policy	Manual: Administrative
	Effective Date: February 6, 2025
Policy Number: 24	Revision:
Issued By: Human Resources Department	City Manager Approval: Richard Haynes City Manager

A copy of this policy must be maintained in the City of Lincolnton's Administrative Manual for each City department and division.

Purpose

The purpose of this policy is to encourage individuals to report possible wrongful conduct to an appropriate authority so that prompt, corrective action can be taken by the City and to protect reporting individuals from any retaliation for reporting wrongful conduct.

SUPPLEMENTS

Whistleblower Protection Act of
1989 5 U.S.C. 2302(b)(8)-(9)
10 U.S.C § 2409
41 U.S.C. § 4712
10 U.S.C. § 2324
41 U.S.C. §§ 4304 and 4310.

DEFINITIONS

Disclosure: A formal or informal communication or transmission.

Matter of Public Concern: A violation of a state, federal, or municipal law, regulation, or ordinance; a danger to public health or safety; billing for services not performed or for goods not delivered; and/or gross mismanagement, substantial waste of funds, or a clear abuse of authority.

Personnel Action: An appointment, promotion, disciplinary or corrective action, transfer, reassignment, reinstatement, restoration, reemployment; a decision concerning pay, benefits, award, education, or training that may reasonably be expected to lead to a promotion or appointment; and any other significant change in duties, responsibilities, or working conditions.

Protected Disclosure: A disclosure that is based on a reasonable belief that wrongdoing has occurred made to a person or entity that is authorized to receive it. Wrongdoing includes any violation of a law, rule or regulation, gross mismanagement, gross waste of funds, abuse of

authority, or a substantial and specific danger to public health or safety. A communication concerning policy decisions that lawfully exercise discretionary authority that do not include wrongdoing as defined above are not considered a Protected Disclosure.

Protected Individual: An employee, volunteer, board member, or contractor, who reports to an authorized person hereunder or to a law enforcement agency or to an authorized person or entity under state or federal Whistleblower protection laws, or is about to report to such an authorized person or entity, a Matter of Public Concern and /or who participates in a court action, an investigation, a hearing, or an inquiry regarding the same.

Retaliation: Adverse actions that may include harassment, verbal abuse and/ or threats of physical harm, as well as unwarranted adverse Personnel Action, including but not limited to, disciplinary action, poor performance evaluations, termination, compensation decreases, poor work assignments, or denials of promotion.

Whistleblower: A person working for the City of Lincolnnton who makes a Protected Disclosure to one or more of the parties specified in this policy.

POLICY

The City of Lincolnnton has a responsibility to provide a safe and healthy workplace. It is the City's goal to protect individuals who report activities believed to be illegal or improper regarding Matters of Public Concern. The City, or any individual working on behalf of the City, shall not retaliate against a Whistleblower. The right of a Whistleblower for protection against Retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

It is the responsibility of all board members, officers, employees, volunteers, and contractors to report concerns about violations of the City's code of ethics or suspected violations of law or regulations that govern the City's operations.

This policy shall apply to all persons holding a paid position as an employee of the City, as well as contractors, volunteers, or any member of an elected, appointed, or volunteer board or committee. This policy applies to any matter which is directly related to the City of Lincolnnton's operations and does not relate to the private acts of an individual not connected to the operations of the City of Lincolnnton.

Whistleblower protections are provided in two important areas: confidentiality and Retaliation. Insofar as possible, the confidentiality of the Whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

- 1.1 Retaliation against a Protected Individual by the City for making a Protected Disclosure is prohibited.
- 1.2 The City may not disqualify a Protected Individual because of the report of or participation in a proceeding connected with a Matter of Public Concern from eligibility to bid on contracts with the City or receiving another right, privilege, or benefit.
- 1.3 Reporting Process
 - 1.3.1 If an employee, volunteer, board member, or contractor has a reasonable belief that another employee, volunteer, board member, contractor, or the City has engaged in any action that violates any applicable law or regulation, the information should be reported immediately to the City Manager, the Director of Human Resources, the City Attorney, or a Department Director.

- 1.3.2 All reports will be followed up promptly, and an investigation conducted. In conducting its investigations, the City will strive to keep the identity of the complaining individual as confidential as possible while conducting an adequate review and investigation.
 - 1.3.3 Any Whistleblower who believes he/she is the subject of Retaliation must contact the Human Resources Director immediately.
 - 1.3.4 Any Department Director who receives a Protected Disclosure or other report or complaint regarding a Matter of Public Concern shall promptly notify the Director of Human Resources or the City Manager so that the matter can be investigated. Should the complaint involve the Director of Human Resources or the City Manager, the report should be made to the City Attorney.
- 1.4 Limitations to Protections
- 1.4.1 A person is not entitled to the protections under this policy unless he or she reasonably believes that the information reported is, or is about to become, a Matter of Public Concern and reports the information in good faith.
 - 1.4.2 A person is entitled to the protections under this policy only if the Matter of Public Concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct by the person that was required by his or her employer.
 - 1.4.3 The Whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.
 - 1.4.4 Examples of illegal or dishonest activities include violations of federal, state, or local laws, acts that pose a substantial and/or specific danger to public health and safety, billing for services not performed or for goods not delivered, and other fraudulent financial reporting. Persons reporting Matters of Public Concern must exercise sound judgment to avoid baseless allegations. One who intentionally files a false report of wrongdoing will be subject to disciplinary action.

ATTACHMENTS

None



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: February 6, 2025
From: Trent Mason Chair
Subject: Update from the Young Adult Committee

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None

**A RESOLUTION ORDERING THE LINCOLN COUNTY TAX
ADMINISTRATOR TO ADVERTISE TAX LIENS FOR 2024**

WHEREAS, pursuant to N.C.G.S. §105-369 (a), in February of each year, the tax collector must report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property; and

WHEREAS, the County tax collector's report is due the first Monday in February, and a municipal tax collector's report is due the second Monday in February, and upon receipt of that report, the governing body must order the tax collector to advertise the tax liens; and

WHEREAS, pursuant to N.C.G.S. §105-369(b), after the governing body orders the tax collector to advertise the tax liens, the tax collector must send a notice to the record owner of each affected parcel of property, as determined as of the date the taxes became delinquent and said notice must be sent to the owner's last known address by first-class mail at least 30 days before the date the advertisement is to be published; and

WHEREAS, Lincoln County and the City of Lincolnton have entered into an Interlocal Agreement for Tax Collection wherein the City of Lincolnton is required to appoint the Lincoln County Tax Administrator as the Tax Administrator for the City of Lincolnton; and

WHEREAS, the City of Lincolnton has duly appointed the Lincoln County Tax Administrator as the Tax Administrator, serving as the tax collector, for the City of Lincolnton; and

WHEREAS, the Lincoln County Tax Administrator has submitted to the Lincolnton City Council the total amount of unpaid taxes for the 2024 year in the amount of \$485,321.13; and

WHEREAS, the Lincolnton City Council, following receipt of the above-mentioned report, must order the Lincoln County Tax Administrator to advertise the tax liens; and

NOW THEREFORE, BE IT RESOLVED by the Lincolnton City Council that that Lincoln County Tax Administrator shall advertise the tax liens for 2024 and shall further comply with the requirements of N.C.G.S. §105-369.

This the ____ day of February 2025.

ATTEST:

Daphne Ingram
Clerk to the Council

Ed Hatley, Mayor
City of Lincolnton

**Lincolnton Monthly Report
January 22, 2025**

City of Lincolnton

PAGE 1

Description	Levy Collectible	Discounts	Releases	Over/ Writeoffs	Taxes Collected	Accounts Receivable	Collection Percent	Interest Collected	Refunds
Real /Personal	CL 2225A								
2024									
Tax	7,393,761.53	(104,705.04)	(13,626.12)		6,953,671.96	426,463.45	94.23%	989.36	
Penalty	19,077.39		(205.51)		16,191.63	2,680.25	85.95%		
Total	7,412,838.92	(104,705.04)	(13,831.63)		6,969,863.59	429,143.70	94.21%	989.36	
2023									
Tax	67,131.51	1.81	(255.38)		41,042.43	25,833.70	61.52%	2,528.00	
Penalty	1,472.44		(16.48)		390.37	1,065.59	27.63%		
Total	68,603.95	1.81	(271.86)		41,432.80	26,899.29	60.79%	2,528.00	
2022									
Tax	11,101.14				1,835.23	9,265.91	16.53%	363.29	
Penalty	795.74				61.44	734.30	7.72%		
Total	11,896.88				1,896.67	10,000.21	15.94%	363.29	
2021									
Tax	6,256.76				983.60	5,273.16	15.72%	300.54	
Penalty	403.03					403.03			
Total	6,659.79				983.60	5,676.19	14.77%	300.54	
2020									
Tax	3,484.17				66.14	3,418.03	1.90%	148.37	
Penalty	261.79					261.79			
Total	3,745.96				66.14	3,679.82	1.77%	148.37	
2019									
Tax	2,601.25				103.73	2,497.52	3.99%	45.98	
Penalty	201.43				3.54	197.89	1.76%		
Total	2,802.68				107.27	2,695.41	3.83%	45.98	
2018									
Tax	2,699.40				68.28	2,631.12	2.53%	36.53	
Penalty	194.99				.64	194.35	0.33%		
Total	2,894.39				68.92	2,825.47	2.38%	36.53	
2017									
Tax	2,341.94				61.88	2,280.06	2.64%	38.37	
Penalty	175.78					175.78			
Total	2,517.72				61.88	2,455.84	2.46%	38.37	
2016									
Tax	2,855.57				110.41	2,745.16	3.87%	86.42	
Penalty	255.95				5.40	250.55	2.11%		
Total	3,111.52				115.81	2,995.71	3.72%	86.42	
2015									
Tax	4,974.90				61.88	4,913.02	1.24%	50.27	
Penalty	444.02					444.02			
Total	5,418.92				61.88	5,357.04	1.14%	50.27	
Total Tax	7,497,208.17	(104,703.23)	(13,881.50)		6,998,005.54	485,321.13	93.53%	4,587.13	
Total Penalty	23,282.56		(221.99)		16,653.02	6,407.55	72.48%		

**Lincolnton Monthly Report
January 22, 2025**

City of Lincolnton

PAGE 2

Description	Levy Collectible	Discounts	Releases	Writeoffs	Taxes Collected	Accounts Receivable	Collection Percent	Interest Collected	Refunds
Public Service									
2024	155,883.51				155,450.14	433.37	99.72%		
2023									
2022									
2021									
2020									
2019									
2018									
2017									
2016									
2015									
Total	155,883.51				155,450.14	433.37	99.72%		
Current Year (Excluding Vehicle and Penalty)									
Total	7,549,645.04	(104,705.04)	(13,626.12)		7,109,122.10	426,896.82	94.35%	989.36	
Current Year (Including Vehicle)									
Total	7,569,547.22	(104,705.04)	(15,343.98)		7,111,505.50	442,697.74	94.15%	993.76	
Totals are for month only and discounts are not included in tax collected									

**Lincolnton Monthly Report
January 22, 2025**

City of Lincolnton

PAGE 3

Description	Levy Collectible	Levy Adj	Releases	Writeoffs	Taxes Collected	Accounts Receivable	Collection Percent	Interest Collected	Refunds
	CL 2225A								
Vehicles									
2024									
2023									
2022									
2021									
2020									
2019									
2018									
2017									
2016	62.01					62.01			
2015	11.84					11.84			
Total	73.85					73.85			
(Levy adjustment included in levy collectible.)									
Vehicle									
Gap Bills									
2024	19,902.18				2,383.40	15,800.92	20.61%		
2023	6,336.84				737.69	5,599.15	11.64%		
2022	3,340.49				267.06	3,073.43	7.99%		
2021	1,511.79				21.01	1,490.78	1.39%		
2020	2,107.37				39.97	2,067.40	1.90%		
2019	1,609.80					1,609.80			
2018	678.62					678.62			
2017	176.26					176.26			
Total	35,663.35				3,449.13	30,496.36	14.49%		

CITY COUNCIL

Ed L. Hatley, Mayor
Kevin Demeny, Mayor Pro Tem
Mark Johnson
Jill Tipton
Roby Jetton



CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
John M. Friguglietti, Jr.

**Resolution Approving Conveyance of Property to
Another Unit of Government in North Carolina
Pursuant to G.S. 160A-274**

WHEREAS, the City of Lincolnton owns _____; and

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, the City of Lincolnton has determined that it is in the best interest of the city to convey the _____ to the Lincolnton ABC Board, and deems it wise to do so for sale for _____.

NOW, THEREFORE, the LINCOLNTON CITY COUNCIL resolves that:

1. The City of Lincolnton hereby conveys to the Lincolnton ABC Board the aforementioned property
2. The property herein described shall be conveyed for sale for _____.
3. The City Manager of Lincolnton is authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this the ____ day of _____. 20__.

[Seal]

Ed Hatley, Mayor

Daphne Ingram, City Clerk



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: February 6, 2025
From: Ritchie Haynes, City Manager
Subject: Manager's Report / Activity Update

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None