

CITY OF LINCOLNTON

CITY COUNCIL

David M. Black, Mayor
John L. Cloninger, Mayor Pro-Tem
Fred Houser
Carroll Heavner
Larry Mac Hovis



COPY

CITY MANAGER

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CITY CLERK

DONNA C. FLOWERS, CMC
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CITY ATTORNEY

THOMAS J. WILSON, JR.

July 3, 2008

Mr. Tom Anderson, Chairman
Lincoln County Board of Commissioners
115 West Main Street
Lincolnton, NC 28092

Dear Mr. Anderson:

Following-up on several discussions between Lincolnton Planning Department and Lincoln County Soil and Water Conservation District staffs, the City of Lincolnton requests that the County Soil and Water Conservation District staff enforce the Lincoln County Erosion and Sedimentation Ordinance within the City of Lincolnton and its Extraterritorial Jurisdiction (ETJ). In return for this service, we suggest that the County retain permit fees and all other revenues collected through ordinance enforcement.

We look forward to your positive response to this request. The City of Lincolnton looks forward to continued coordination of services to our citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Black", is written over a horizontal line.

David Black, Mayor

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BOARD OF COMMISSIONERS
THOMAS R. ANDERSON, PE, CHAIRMAN
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LINCOLN COUNTY

115 WEST MAIN STREET
THIRD FLOOR, CITIZENS CENTER
LINCOLNTON, NORTH CAROLINA 28092
704/736-8473 FAX 704/736-8820

RESOLUTION #2008-11: A RESOLUTION AUTHORIZING THE LINCOLN SOIL AND WATER CONSERVATION DISTRICT STAFF TO ENFORCE SOIL EROSION AND SEDIMENTATION CONTROL WITHIN THE CITY OF LINCOLNTON AND ITS EXTRATERRITORIAL JURISDICTION AS REQUESTED BY THE CITY OF LINCOLNTON

THAT WHEREAS, the Lincoln Soil and Water Conservation District staff is authorized to enforce all County ordinances dealing with soil erosion and sedimentation control within the County, except for that area inside the corporate limits of the City of Lincolnton and its extraterritorial planning jurisdiction (ETJ); and

WHEREAS, soil erosion and sedimentation control measures in this excepted area are currently enforced by the North Carolina Division of Land Quality, but the City of Lincolnton has requested that Lincoln County take over enforcement within its corporate limits and its ETJ in order to standardize enforcement measures throughout the county; and

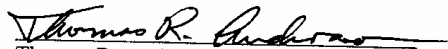
WHEREAS, the Lincoln Soil and Water Conservation District is prepared to undertake this enforcement, subject to the approvals of the Lincoln County Board of Commissioners and the North Carolina Division of Land Quality;

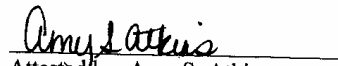
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Lincoln County, North Carolina as follows:

Section 1. That the request from the City of Lincolnton for the Lincoln Soil and Water Conservation District staff to enforce the County's soil erosion and sedimentation control ordinances within the City of Lincolnton and its extraterritorial jurisdiction is hereby approved, subject to the approval of the North Carolina Division of Land Quality, and the amending of said ordinances to include these jurisdictional changes.

Section 2. That this resolution shall become effective upon its adoption.

Adopted this 15th day of September, 2008.


Thomas R. Anderson, PE
Chairman, Board of Commissioners


Attested by: Amy S. Atkins
Clerk to the Board