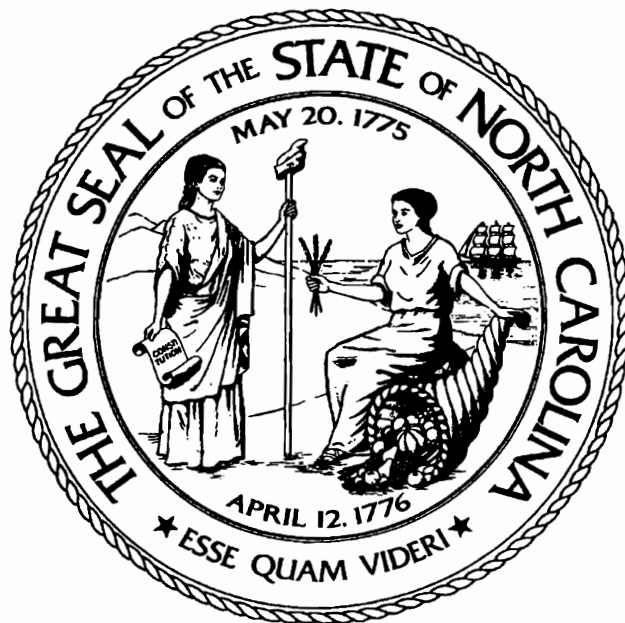


**JOINT LEGISLATIVE COMMISSION
ON MUNICIPAL INCORPORATIONS**



**REPORT TO THE
GENERAL ASSEMBLY
OF NORTH CAROLINA
Proposed Town of Enochville**

July 13, 2005

Pursuant to G.S. 120-169.1, the Commission requested that the Fiscal Research Department provide data that shows the impact on other municipalities and counties of the diversion of already levied taxes or State-shared revenues to support services in the proposed Town of Enochville (a copy of the report is attached as Appendix H). The data provided by the Department (based upon figures from 2002-2003) shows that sales tax revenues in Rowan County are distributed on a per capita basis. If the proposed Town of Rougemont had been incorporated at that time, it would have received \$524,284 in sales tax revenues. The incorporation of Enochville would have a marginal impact on the distribution of Powell Bill funds in the State and Rowan County. No revenue shift of utility excise taxes is expected since the incorporation of Enochville would encompass areas that are not currently part of another municipality.

The Commission finds that the proposed Town of Enochville does not meet the standards required by Article 20 of Chapter 160A of the General Statutes, and therefore the Commission does not recommend incorporation of the area as the Town of Enochville.

APPENDIX B

Article 20.

Joint Legislative Commission on Municipal Incorporations.

Part 1. Organization.

§ 120-158. Creation of Commission.

(a) There is created the Joint Legislative Commission on Municipal Incorporations, referred to in this Article as "Commission".

(b) The Commission shall consist of six members, appointed as follows:

- (1) Two Senators appointed by the President Pro Tempore of the Senate;
- (2) Two House members appointed by the Speaker;
- (3) One city manager or elected city official, appointed by the President Pro Tempore of the Senate from a list of three eligible persons nominated by the North Carolina League of Municipalities; and
- (4) One county commissioner or county manager, appointed by the Speaker from a list of three eligible persons nominated by the North Carolina Association of County Commissioners.

§ 120-159. Terms.

Members shall be appointed for terms ending June 30, 1987, and subsequently for two-year terms beginning July 1, 1987, and biennially thereafter. A member eligible when appointed may continue for the remainder of the term regardless of the member's continued eligibility for the category. The Commission shall elect a chairman from its membership for a one-year term.

§ 120-160. Compensation.

Members of the Commission who are members of the General Assembly shall receive subsistence and travel allowances as provided by G.S. 120-3.1. Members who are State officers or employees shall receive subsistence and travel allowances as provided by G.S. 138-6. All other members shall receive per diem, subsistence, and travel allowances as provided by G.S. 138-5.

§ 120-161. Facilities and staff.

The Commission may meet in the Legislative Building or the Legislative Office Building. Staff for the Commission shall be provided by the Legislative Services Commission. The Commission may contract with the Institute of Government, the Local Government Commission, the Department of Environment and Natural Resources, or other agencies as may be necessary in completing any required studies, within the funds appropriated to the Commission.

Part 2. Procedure for Incorporation Review.

§ 120-163. Petition.

(a) The process of seeking the recommendation of the Commission is commenced by filing with the Commission a petition signed by fifteen percent (15%) of the registered

(3) All cities in any other county that are within five miles of the proposed municipality of the intent to present the petition to the Commission.

(b) The petitioners shall also publish, one per week for two consecutive weeks, with the second publication no later than seven days before submitting the petition to the Commission, notice in a newspaper of general circulation in the area proposed to be incorporated of the intent to present the petition to the Commission.

§ 120-165. Initial inquiry.

(a) The Commission shall, upon receipt of the petition, determine if the requirements of G.S. 120-163 and G.S. 120-164 have been met. If it determines that those requirements have not been met, it shall return the petition to the petitioners. The Commission shall also publish in the North Carolina Register notice that it has received the petition.

(b) If it determines that those requirements have been met, it shall conduct further inquiry as provided by this Part.

§ 120-166. Additional criteria; nearness to another municipality.

(a) The Commission may not make a positive recommendation if the proposed municipality is located within one mile of a municipality of 5,000 to 9,999, within three miles of a municipality of 10,000 to 24,999, within four miles of a municipality of 25,000 to 49,999, or within five miles of a municipality of 50,000 or over, according to the most recent decennial federal census, or according to the most recent annual estimate of the Office of State Budget, Planning, and Management if the municipality was incorporated since the return of that census.

(b) Subsection (a) of this section does not apply in the case of proximity to a specific municipality if:

- (1) The proposed municipality is entirely on an island that the nearby city is not on;
- (2) The proposed municipality is separated by a major river or other natural barrier from the nearby city, such that provision of municipal services by the nearby city to the proposed municipality is infeasible or the cost is prohibitive, and the Commission shall adopt policies to implement this subdivision;
- (3) The municipalities within the distances described in subsection (a) of this section by resolution express their approval of the incorporation; or
- (4) An area of at least fifty percent (50%) of the proposed municipality has petitioned for annexation to the nearby city under G.S. 160A-31 within the previous 12 months before the incorporation petition is submitted to the Commission but the annexation petition was not approved.

§ 120-167. Additional criteria; population.

The Commission may not make a positive recommendation unless the proposed municipality has a permanent population of at least 100 and a population density (either permanent or seasonal) of at least 250 persons per square mile.

§ 120-168. Additional criteria; development.

(c) If the Commission determines that it is not barred from making a positive recommendation, it shall make a positive recommendation to the General Assembly for incorporation.

(d) The report of the Commission on a petition shall be in a form determined by the Commission to be useful to the General Assembly.

§ 120-172. Referendum.

Based on information received at the public hearing, the Commission may recommend that any incorporation act passed by the General Assembly shall be submitted to a referendum, except if the petition contained the signatures of fifty percent (50%) of registered voters the Commission shall not recommend a referendum.

§ 120-173. Modification of petition.

With the agreement of the majority of the persons designated by the petition as an interim governing board, the Commission may submit to the General Assembly recommendations based on deletion of areas from the petition, as long as there are no noncontiguous areas.

§ 120-174. Deadline for recommendations.

If the petition is timely received under G.S. 120-163(e), the Commission shall make its recommendation to the General Assembly no later than 60 days after convening of the next regular session after submission of the petition.

said subdivision to a point in the centerline of Enochville Avenue (SR 1351) thence with the centerline of Enochville Avenue (SR1351) to the point of Beginning.

Section 2.2. Annexation. The town may not annex under 160A-33 of the General Statutes without a petition signed by the owners of a majority of the property being annexed. This requirement is in addition to any other requirements of Part 2., and the form for the petition shall be the same as that in G.S. 160A-31 except for the modification to be by the owners of a majority of the property. The Town may also submit any annexation plan under Part 2 to the qualified voters of the area proposed for annexation for approval. The election shall be called and conducted in accordance with G.S. 163-287. and G.S. 163-288.2.

“ARTICLE III “GOVERNING BODY.

“Section 3.1. Structure of Governing Body; Number of Members. The governing body for the Town of Enochville is the Town Council, which has four [4] members and a mayor.

“Section 3.2. Temporary Officers. Until the organizational meeting after the initial election in 2005, provided for by Article IV of this Charter, **C.R. “Bill” McCorkle, Betty James, Richard McGuire, and Barry King** are appointed members of the Town Council. The interim mayor will be Yolonda Shimpock-Combs. The temporary interim board shall elect from among themselves a Mayor Pro Tempore. They shall possess and exercise the powers granted to the governing body until their successors are elected or appointed and qualified pursuant to this Charter. If any person named in this section is unable to serve, the remaining temporary officers shall, by majority vote, appoint a person to serve until the initial election is held.

“Section 3.3. Manner of Electing Town Council; Term of Office. The qualified voters of the entire Town of Enochville shall elect the members of the Town Council from the Town at large, on a non partisan basis, and except as provided in this section, they shall serve four [4] year terms. In the general election of 2005, the two [2] highest members shall be elected to four [4] year terms. The next two [2] members with the lowest votes shall be elected for two years. In the general election of 2006, the two [2] lowest members shall be elected to four [4] year terms quad annually thereafter. In the general election of 2008, the highest two [2] shall be elected to four [4] year terms quad annually. To be eligible for election to the Town council, an individual must reside in the Town of Enochville and be a registered voter of Enochville.

“Section 3.4. Vacancies. Persons appointed by the Town Council to fill vacancies on the Council serve the remainder of the un-expired term in accordance with G.S. 160A-63.

“Section 3.5. Manner of Electing Mayor; Term of Office; Duties. Election of the Mayor shall be conducted on a nonpartisan basis and results based on a plurality of all qualified voter of the entire Town of Enochville as provided in G.S. 163-292. The interim Mayor shall be the Chairman of the Enochville Incorporation Committee, being **Yolonda Shimpock-Combs**.

- (a) In November, 2005, and biennially thereafter, the Mayor shall be elected for a term of two [2] years.
- (b) The Mayor shall be recognized as the official head of the Town for the purpose of service on civil process, and for all ceremonial purposes.
- (c) The Mayor shall preside at all Council meetings. The Mayor shall have the right to vote only when there are equal numbers of votes in the affirmative and in the negative.

the Town, advise Town officials, and perform other duties required by law or as the Town Mayor and Town Council may direct.

“Section 5.5. Other Administrative Officers and Employees. The Mayor and Town Council may authorize other offices and position and appoint persons to fill such offices and positions.

“Section 5.6. Consolidation of Function. Where the positions are not incompatible, the Mayor and Town Council may combine in one person the powers and duties of two or more officers created or authorized by this Charter.

“Section 5.7. Removal of Members for Misconduct by the Governing Body. The governing body, after a removal hearing and an affirmative of three-fourths of its members, may remove from office a member of the Town council or the Mayor for any of the reasons set forth in Article VI, Section 8 of the North Carolina constitution. A member of the Town Council or the Mayor may initiate removal by making, at a meeting of the governing body, a motion calling for the removal of an officer. The motion shall specify the grounds on which removal is sought. The town clerk shall cause written notice of the motion and a copy of the charges to be given to the officer against whom removal is sought at least 19 days before the removal hearing. At the removal hearing, the officer shall have the right to be heard in person and through council in the officer’s defense. If a member of the Town Council or the Mayor is removed, the vacancy shall be filled in accordance with the provisions of G.S. 160A-63.

“Section 5.8. Recall. The Mayor and members of the Town Council are subject to removal pursuant to this section. An officer is removed upon the filing of a sufficient recall petition and the affirmative vote of a majority of those on the question of removal at a recall election. A recall petition shall be filed with the Town clerk, who shall immediately forward the petition to the Board of Election. A petition to recall the Mayor or a member of the Town Council shall bare the signatures of twenty-five (25 %) percent of the registered voters of the Town of Enochville. The Board of Election shall verify the petition signatures. If a sufficient recall petition is submitted, the Board of elections shall certify its sufficiency to the governing body and the governing body shall adopt a resolution calling for a recall election to be held no less than 60 days nor more than 100 days after the petition has been certified to the governing body. The election may be held separately or at the same time as any other general or special election within the period established in this section, and shall be held as otherwise provided in G.S. 163-287. The Board of Election shall conduct the recall election. The proposition submitted to the voters shall be substantially in the following form:

‘FOR the recall of (name of officer)
“AGAINST the recall of (name of officer)’

The registered voters of the Town are eligible to vote in an election to recall the Mayor or member of Town Council. If less than a majority of the votes cast on the question are for the officer’s recall, the officer continues in office. If a majority of the votes cast on the question are for the officer’s recall, the officer is removed on the date the Board of Elections certifies the results of the election. A vacancy created by removal of a member of the Town Council or the Mayor shall be filled in accordance with the provisions of G.S.63. and this Charter. No petition to recall an officer may be filed within six months after the officer’s election to the governing body nor within six months before the expiration of the officer’s term. No more than one election may be held to recall an officer within a single term of office of that officer.

Section 8.2. ETJ / Watershed Buffer to Kannapolis City Lake. The Town will assume total responsibility and control of the Exterterritorial Jurisdiction presently maintained by the City of Kannapolis along the eastern boundaries of the Town of Enochville following the shoreline of Kannapolis City Lake. In addition to the ETJ, a (500) five hundred foot buffer will be in force. No development of any kind, being residential, commercial, public access or free enterprise shall utilize this buffer zone.

Section 8.3. Compensation for Zoning / Inspection Services. The Town will relinquish all monies due back to the County of Rowan for all zoning and inspection services until the Town Council establishes a zoning board to govern and collect said fees.

**“ARTICLE VIII.
“ORDINANCES.**

“Section 7.1. Ordinances. Except as otherwise provided in the Charter, the Town of Enochville is authorized to adopt such ordinances as the Town Council deems necessary for the governance of the Town.

**“ARTICLE X
“MISCELLANEOUS.**

“Section 9.1. Conflict of Interest. No person or immediate family member of such person who is employed by or an official of the Town shall do business with the Town unless the Mayor and Town Council specifically approves such activity. All appointed officials shall apprise the Council of any and all conflicts of interest, and failure to do so shall constitute grounds for immediate dismissal for cause. No official may accept any gratuity from any business, person, or other official if such gratuity is related to his or her official duties.

“Section 9.2. Changes to Charter. The Council may propose and enact changes to the Charter in accordance with Part 4 of Article 5 of Chapter 160A of the General Statutes. However, no change to the Charter shall become final until the residents of the Town have been notified of the proposed change and afforded an opportunity to comment thereon. Notwithstanding the provisions of G.S. 160A-103, residents may file a petition requesting a change to the Charter, but the Council need not consider the proposed change unless it is determined that twenty percent [20%] of the qualified voters of the Town have signed the petition.

**“ARTICLE XI
“SPECIAL PROVISIONS.**

“Section 10.1. Provision of Services and Administration of Functions.

Law Enforcement and Solid Waste Disposal. Within a three [3] year time period, the Town Council shall enter into agreements with other governmental bodies and private enterprises for the provision of services for law enforcement and solid waste removal and the administration of corporate functions in order to provide the services and administer the function in the most efficient and cost-effective manner.

Description for the proposed incorporation of Enochville, Rowan County, North Carolina.

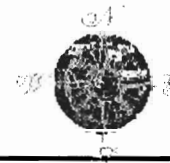
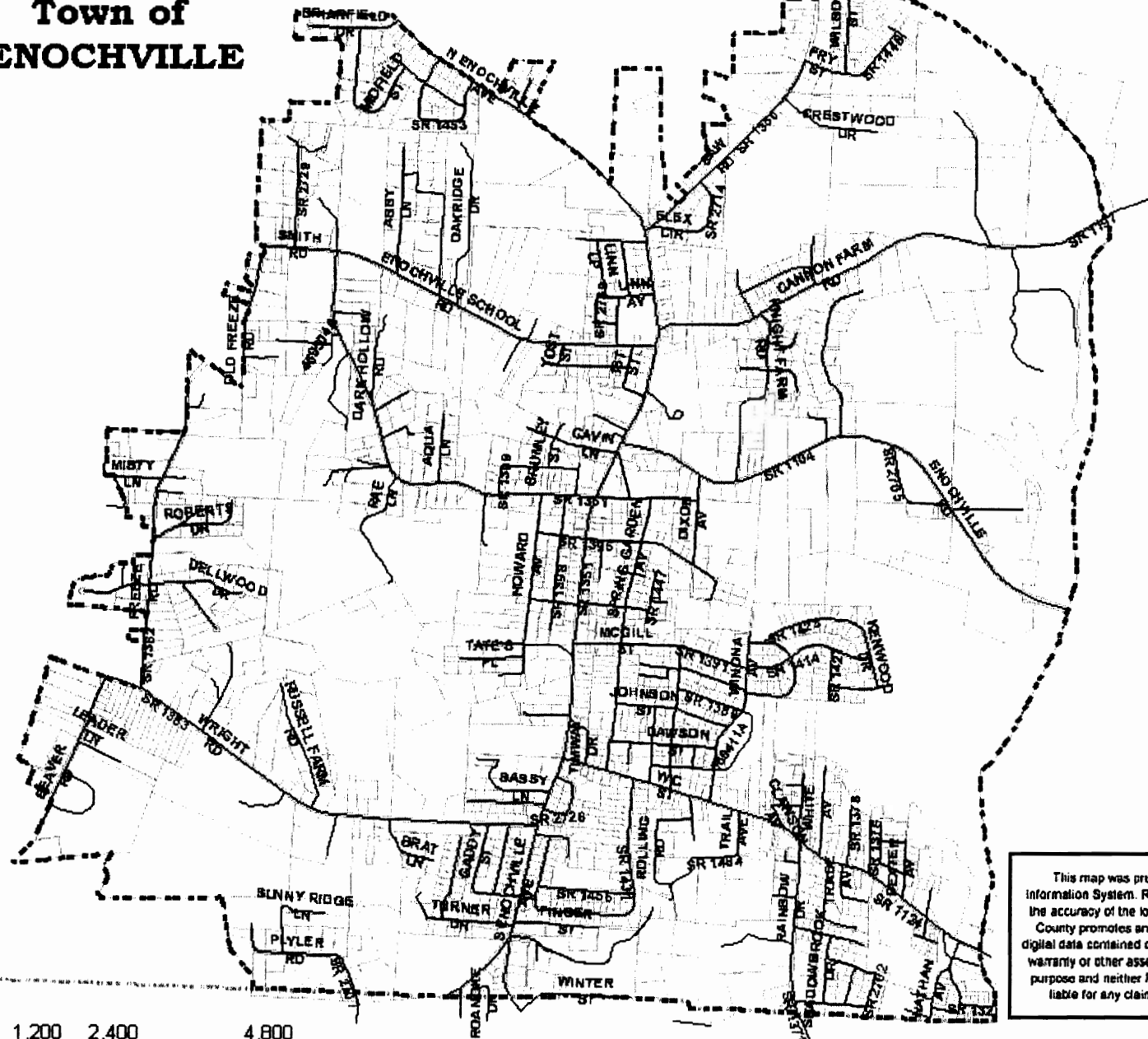
BEGINNING at a point in the centerline of Saw Road (SR 1350) over the centerline of Irish Buffalo Creek; thence following the center of said creek as it meanders in a southeasterly direction to a point in the centerline of Cannon Farm Road (SR 1197) over Irish Buffalo Creek, a common corner with the Corporate Boundary of Kannapolis, NC; thence with the City of Kannapolis Corporate Boundary running through Kannapolis Lake, roughly parallel with the channel of Irish Buffalo Creek, crossing Enochville Road (SR 1104) at the bridge and continuing through said Lake with said creek channel to a point on the dam of Kannapolis Lake; thence continuing with the City of Kannapolis Corporate Boundary and with the centerline of Irish Buffalo Creek in a southerly direction and crossing West "C" Street (SR 1124) to a point in the centerline of said creek on the Rowan-Cabarrus County line; thence with the Rowan-Cabarrus County line in a westerly direction to the point where the Rowan-Cabarrus County line intersects the western boundary line of Rowan County Tax Parcel 249B 225; thence in a northerly direction along said parcel line to the southernmost corner of Parcel 249B 206 on the western line of Parcel 249B 225; thence with the western lines of Parcel 249B 206 in a northwesterly direction to the northwest corner of Parcel 249B 206, a common corner with Parcel 249B 207; thence with westernmost lines of Parcels 249B 207 and 249B 041 to the northwest corner of Parcel 249B 041 in the south boundary of Parcel 249A 017; thence with the south boundary of Parcel 249A 017 in a westerly direction to its southwest corner on the north boundary line of Parcel 249F 002; thence with the common boundary line of Parcels 249A 017 and 249A 014 in a northerly direction to the common corner of said parcels in the south boundary line of Parcel 249A 026; thence with the south boundary lines of Parcels 249A 026 and 249A 043 in a westerly direction to the centerline of Beaver Road (SR1364); thence with the centerline of Beaver Road (SR1364) in a northerly direction to a point where the southerly line of Parcel 249A 046, if extended, intersects with the centerline of Beaver Road (SR1364); thence with the southerly line of Parcel 249A 046 to its southwest corner; thence in a northerly direction with the west boundary of Parcel 249A 046 extended to its intersection with the south boundary of Parcel 249A 006; thence with the south boundary of Parcel 249A 006 to the southwest corner of said Parcel 249A 006; thence in a northerly direction with the western boundaries of the following contiguous Parcels: 249A 006, 249A 078, 249A 138, 249A 074, 249A 075, 249A 076 and 249A 077 extended to a point in the centerline of Wright Road (SR 1363); thence with the centerline of Wright Road (SR 1363) in an easterly direction to the centerline intersection of Wright Road (SR 1363) and Freeze Road (SR1362); thence with the centerline of Freeze Road (SR1362) in a northerly direction to a point where the southerly line of Parcel 249A 149, if extended, intersects with the centerline of Freeze Road (SR1362); thence with the southerly line of Parcel 249A 149 to its southwest corner; thence with the western line of Parcel 249A 149 to the northwest corner of Parcel 249A 149; thence with the northern boundary of said parcel in an easterly direction extended to the centerline of Freeze Road (SR1362); thence with the centerline of Freeze Road (SR1362) in a northerly direction to a point where the southerly line of Parcel 249A 032, if extended, intersects with the centerline of said Freeze Road (SR1362); thence in a westerly direction with southerly boundaries of Parcels 249A 032

boundary lines of the following Parcels: 243 038, 243 120, 243 048, 243 122, 243 123, 243 124 and 243 125 to the northwest corner of Parcels 243 125 and 243 020; thence in an easterly direction with the north boundary of Parcel 243 020 to the southwest corner of Parcel 243 004 on the north boundary line of said Parcel 243 020; thence in a northerly direction with the west boundary of Parcel 243 004 to the northwest corner of Parcel 243 004; thence in an easterly direction with the north boundary of Parcel 243 004 to the northeast corner of Parcel 243 004, a common corner with "Deerfield Subdivision"; thence in a northerly direction with the west boundaries of the following Parcels: 243B 016, 243B 015, 243B 014, 243B 025 and 243B 013 to the northwest corner of Parcel 243B 013, a common corner with Parcel 243A 159; thence in a northerly direction with Parcel 243A 159 to a corner in the south boundary of said Parcel 243A 159; thence in a westerly direction with the south boundaries of the following Parcels: 243A 159, 243A 158, 243A 157 and 243A 156 to the southwest corner of Parcel 243A 156; thence in a northerly direction with the west boundary of Parcel 243A 156 to the northwest corner of Parcel 243A 156; thence in an easterly direction with the north boundaries of the following Parcels: 243A 156, 243A 154, 243A 153, 243A 152, 243A 151, 243A 150 and 243A 074 extended to a point in the centerline of North Enochville Avenue (SR 1351); (NOTE: The previous five calls follow the northwesterly boundary of "Deerfield Subdivision") thence with the centerline of North Enochville Avenue (SR 1351) in a southeasterly direction to a point where the west boundary line of Parcel 243 204, if extended in a southerly direction, intersects with the centerline of North Enochville Avenue (SR 1351); thence in a northerly direction with the west boundaries of Parcels 243 204 and 243C 011 to the northwest corner of Parcels 243C 011 and 243C 012; thence in an easterly direction the north boundaries of Parcels 243C 012 and 243C 013 to the northeast corner of Parcel 243C 013; thence in a southerly direction with the east boundaries of Parcels 243C 013, 243C 014, 243C 015 and 243C 016 extended to a point in the centerline of North Enochville Avenue (SR 1351); thence along the centerline of North Enochville Avenue (SR 1351) in a southeasterly direction to a point where the west boundary of Parcel 244 040, if extended in a southerly direction, intersects with the centerline of North Enochville Avenue (SR 1351); thence with the west boundaries of Parcels 244 040 and 244 210 in a northerly direction to the northwest corner of Parcel 244 210; thence in an easterly direction with the north boundary of Parcel 244 210 to the northeast corner of Parcel 244 210; thence in a southerly direction with the east boundary of Parcel 244 210 extended to a point in the centerline of Saw Road (SR 1350); thence with the centerline of Saw Road (SR 1350) in a northeasterly direction to a point where the southwest boundary of Parcel 244 060, if extended in a southeasterly direction, intersects with the centerline of Saw Road (SR1350); thence with the southwest boundary of Parcel 244 060 in a northwesterly direction to the southwest corner of Parcel 244 060; thence in a northeasterly direction with the northwest boundaries of the following Parcels: 244 060, 244 057, 244 056, 244 054, 244 058, 244 055 and 244 052 to the northwest corner of Parcel 244 052, a common corner with Parcel 244 042; thence in a northerly direction with the west boundary of Parcel 244 042 to the northwest corner of Parcel 244 042; thence in an easterly direction with the north boundaries of Parcels 244 042 and 244 050 to the southwest corner of Parcel 244 205; thence with the west boundary of Parcel 244 205 in a northwesterly direction to the northwest corner of Parcel 244 205 in the south boundary of parcel 244 215; thence in a westerly direction with the

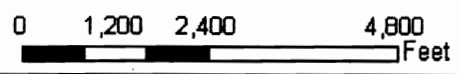
Proposed Town of ENOCHVILLE

Legend

- Proposed_Line
- Rowan County Line
- Centerline



This map was prepared from the Rowan County, NC Geographic Information System. Rowan County has made substantial efforts to ensure the accuracy of the location and labeling information on this map. Rowan County promotes and recommends the independent verification of any digital data contained on this product by the user. Rowan County makes no warranty or other assertion as to the fitness of the maps for any particular purpose and neither Rowan County nor it's agents or employees shall be liable for any claim alleged to have resulted from any use thereof.



Created on
June 16, 2003
By the Rowan County Planning Commission

**Rowan County Planning Department**

402 North Main Street • Salisbury, NC 28144-4341

Telephone 704-638-3101

FAX 704-638-3130

February 20, 2004

Yolanda Shimpock-Combs
388 Laurel Crest Drive
Kannapolis, NC 28081

Dear Ms. Shimpock-Combs,

Per your request I have estimated the 2000 population of the Enochville fire district to be 4,526. This estimate was derived from US Census 2000 block data. Please contact me if you have any additional questions.

Sincerely,

Marion Lytle, AICP
County Planner

Equal Opportunity Employer



recycled paper



Rowan County Information Systems Department

130 W. Innes Street • Salisbury, NC 28144

David E. Boling
Director
e-mail

bolingde@co.rowan.nc.us

Telephone (704) 633-5761
FAX (704) 642-2083

MEMORANDUM

DATE: March 3, 2004

TO: Richard McGuire

FROM: Gail Rector, Information Systems

SUBJECT: Number of Structures in Enochville Fire District

I have queried the tax data and counted the number of improved properties and the number of singlewide mobile homes. I have a count of 1897 structures. This number does not include any parcels designated as totally exempt or a utility.

If you have any questions or problems with these please let me know.

Yolonda Shimpock-Combs or T.M. Combs

From: "Burnett, Kathy Hudgins" <burnettk@co.rowan.nc.us>
To: <yme1104@ctc.net>; "Russell, Tim" <russellbt@co.rowan.nc.us>; "Bost, Tim" <bostt@co.rowan.nc.us>;
 "Andrews, Gus" <AndrewsG@co.rowan.nc.us>
Sent: Tuesday, March 09, 2004 9:46 AM
Subject: FW: Proposed Enochville Incorporation

-----Original Message-----

From: Wilhelm, George A.
Sent: Tuesday, March 09, 2004 9:40 AM
To: Burnett, Kathy Hudgins
Subject: RE: Proposed Enochville Incorporation

Ms. Shimpock-Combs, There are a lot of underlying cost in supporting law - enforcement. I have forwarded this message to the county manager, for his office handles cost figures. However, deputies are allowed to work on their days off for other towns , such as Faith and Rockwell. The towns provide the vehicle and those expenses. These off - duty deputies receive \$20.00 per hour for their services.

As for the cost to provide services to your area, that is something that can only be determined by the number of deputies covering a particular area. The average cost of a deputy sheriff's salary including all benefits is somewhere in the range of \$38K to \$45K depending on education and experience. Starting base (no benefits included) salary is in the range of \$ \$27K and can be as much as \$40K. My estimate is that a 4 man police dept., all expenses, would cost \$200K to \$300K annually, depending on what you choose to do.

The budget for my office just the law-enforcement side, not including the jail is \$4 million per year. For every penny county tax payed the county receives \$800K. That means that county residents pay appx. 5cents tax of every dollar for the sheriff's office coverage. That comes to an average expense of \$44K per deputy, and not all of them are assigned vehicles. Most towns pay a much larger percentage for police coverage. In fact a large portion of town or city taxes go toward their law-enforcement.

Sincerely,
 George A. Wilhelm

-----Original Message-----

From: Burnett, Kathy Hudgins
Sent: Tuesday, March 09, 2004 7:26 AM
To: Wilhelm, George A.
Subject: FW: Proposed Enochville Incorporation



Enochville Incorporation
Committee

TO: Oliver Bass, Gayle Moses
FROM: Yolonda Shimpock-Combs
SUBJECT: Enochville Proposed Budget Tax Base
DATE: January 28, 2005

The tax base used for the proposed (2005) budget for the Town of Enochville is based upon the tax information provided by the Rowan County Tax Department for the year 2003-2004 at the rate of 4 cents per \$100.00. This is the current amount charged all residents within the Enochville Fire District.

The proposed tax rate upon incorporation is 5 cents per \$100.00.

ASSESSED VALUE OF TAXABLE REAL PROPERTY

1a. Full assessed value of residential real property.....	180,400,205	
1b. LESS: Senior Citizens & Disabled Persons Exclusion.....	2,702,601	
1c. Taxable Valuation of residential real property.....		177,697,604
1d. Information only: Number of exemptions claimed.....	76	
2. Assessed value of commercial real property.....		4,920,742
3. Assessed value of industrial real property.....		708,193
4a. Full assessed value of present use value real property.....	5,204,942	
4b. LESS: Value Deferred.....	3,260,509	
4c. Present Use value subject to taxation.....		1,944,433
5a. Full assessed value of historic real property.....		
5b. Taxable (50%) value of historic real property.....		
6a. Full assessed value of property inside roadway corridors.....		
6b. Taxable (20%) value of property inside roadway corridors.....		
7. Assessed value of taxable real property not included in items 1 through 6.....		
8. TOTAL TAXABLE VALUATION OF ALL REAL PROPERTY AS OF JANUARY 1 OF THE TAX YEAR ABOVE.....		185,270,972

ASSESSED VALUE OF TAXABLE PERSONAL PROPERTY (excluding registered vehicles)

9. Production equipment and machinery of manufacturers.....		3,565,535
10. Farm machinery and equipment.....		90,442
11a. Full assessed value of manufactured (mobile) homes.....	2,907,414	
11b. LESS: Senior Citizens & Disabled Persons Exclusion.....	130,550	
11c. Taxable valuation of manufactured (mobile) homes.....		2,776,864
11d. Information only: Number of exemptions claimed.....	19	
12. Motor Vehicles (Not including registered vehicles).....		162,170
13. All other taxable personal property not included in items 9 through 12 (Not including Reg.Vehicles).....		1,187,950
14. TOTAL TAXABLE VALUE OF ABOVE PERSONAL PROPERTY AS OF JANUARY 1 OF THE TAX YEAR ABOVE.....		7,782,961
15. TOTAL TAXABLE VALUE OF REAL AND PERSONAL PROPERTY.....		193,053,933

ASSESSED VALUE OF PUBLIC SERVICE COMPANIES

16. Railroad companies.....		
17. Telegraph companies.....		
18. Telephone companies.....		1,369,961
19. Pipeline companies.....		1,754,631
20. Gas companies.....		313,170
21. Electric power companies.....		1,478,205
22. Electric membership companies.....		
23. Airline companies.....		
24. Bus Line companies.....		
25. Motor freight carrier companies; Railway Express Agency.....		
26. TOTAL TAXABLE VALUATION OF PUBLIC SERVICE COMPANIES AS OF JANUARY 1 OF THE TAX YEAR ABOVE.....		4,915,967
27. GRAND TOTAL VALUATION OF ALL TAXABLE PROPERTY AS OF JANUARY 1 OF THE TAX YEAR ABOVE (NOT RV"S).....		✓197,969,900

AD VALOREM LEVY (Excluding Registered Vehicles)

1. Tax Levy.....		79,090.92
2. Additional taxes levied on late listings and discovered properties.....		96.79
3. Penalties on late listings and discoveries.....		88.33
4. TOTAL AD VALOREM TAX LEVY.....		79,276.04

TAX LEVY ON REGISTERED VEHICLES

	Taxable Valuation	Tax Levy
1. Registered vehicles taxed at 2002 tax rate.....	27,932,042	11,161.00
2. Registered vehicles taxed at 2003 tax rate.....	5,689,934	2,273.70
3. TOTALS FOR REGISTERED VEHICLES.....	✓33,621,976	13,434.70

TB 231,591,876

=231,591,876

TOWN OF ENOCHVILLE, NORTH CAROLINA (Proposed)
PROPOSED BUDGET
FISCAL YEAR 2004-2005

REVENUES

Property taxes	\$ 138,955.00
Sales and usage taxes	695,450.00
Utility franchise taxes	123,096.00
Miscellaneous taxes	<u>8,500.00</u>
TOTAL REVENUES	\$ 966,001.00

EXPENSES

Police protection	\$ 71,240.00
Garbage pickup	285,000.00
Fire protection	115,795.00
Zoning	5,000.00
Reserves	<u>488,966.00</u>
TOTAL EXPENSES	\$ 966,001.00

SERVICES

- 2 - Local Police Coverage (Dedicated Officer, 24 hour coverage)
- Fire Protection (existing VFD remains)
- Garbage Service
- Zoning Board (Inspections still by County)

BUDGET INFORMATION SOURCES

Wendi Heglar, accountant II for Rowan County Finance Office
Leslie Hedrick, CPA for Rowan County Finance Office
Barbara Ames, Rowan County Assessors Office
Rowan County Planning

Population – 4,526
Households – 1,897

Yolonda Shimpock-Combs

copy

March 25, 2004

Mayor Pro Tem Mike Mahaley
Landis Board of Aldermen
312 Main St.
Landis, NC 28088

Dear Mayor Pro Tem Mr. Mahaley and Fellow Alderman,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation is being submitted for the "Town of Enochville" to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the Landis Board of Alderman will support our endeavors.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

yme1104@ctc.net

Yolonda Shimpock-Combs

copy

March 25, 2004

Mayor Ray Moss
Kannapolis City Council
246 Oak Avenue
Kannapolis, NC 28081

Dear Mayor Moss and City Council Members,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation is being submitted for the "Town of Enochville" to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the Kannapolis City Council will support our endeavors.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

ymc1104@ctc.net

Yolonda Shimpock-Combs

copy

March 25, 2004

Mayor J. Scott Padgett
Concord City Council
P.O. Box 308
Concord, NC 28025

Dear Mayor Padgett and City Council Members,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation is being submitted for the "Town of Enochville" located in Rowan County, to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the City of Concord will support our endeavors.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

yme1104@ctc.net

Yolonda Shimpock-Combs

April 21, 2004

copy

Mayor Al Jones
PO Box 878
Mooresville, NC 28155

Dear Mayor Jones and Mooresville Town Board,

The Enochville Incorporation Committee, Rowan County, would like to inform you that a proposed Charter of Incorporation has been submitted for the "Town of Enochville" to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the Mooresville Town Board will support our endeavors and issue a proclamation in our favor.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

Cc. Bill Drafting Department

Yolonda Shimpock-Combs

April 21, 2004

copy

Mayor Beau Taylor
630 Lake Road
Rockwell, NC 28138

Dear Mayor Taylor and Rockwell Alderman,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation has been submitted for the "Town of Enochville" to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the Rockwell Board of Alderman will support our endeavors and issue a proclamation in our favor.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

Cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

yme1104@ctc.net

Yolonda Shimpock-Combs

April 21, 2004

Mr. W. Gary Gardner
PO Box 253
Faith, NC 28041

copy

Dear Mayor Gardner and Faith Alderman,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation has been submitted for the "Town of Enochville" to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the Faith Board of Alderman will support our endeavors and issue a proclamation in our favor.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

Cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

yme1104@ctc.net

Yolonda Shimpock-Combs

April 21, 2004

Copy

Mayor James A Brown, Jr.
PO Box 216
Cleveland, NC 27013

Dear Mayor Brown and Commissioners,

The Enochville Incorporation Committee would like to inform you that a proposed Charter of Incorporation is being submitted for the "Town of Enochville" located in Rowan County, to the North Carolina General Assembly.

It is our intent to offer these four services: fire, police, solid waste and zoning.

It is our hope that the City of Cleveland will support our endeavors and issue a proclamation in our favor.

Sincerely,



Yolonda Shimpock-Combs
Chairman
Enochville Incorporation Committee

Cc. Bill Drafting Department

388 Laurel Crest Dr. Kannapolis, North Carolina 28081

H&F 704-938-7134 B&F 704-938-7089

yme1104@ctc.net

NATION

PUBLIC NOTICE

**TO: ROWAN COUNTY BOARD OF COMMISSIONERS
CITY OF CONCORD
CITY OF CHINA GROVE
CITY OF KANNAPOLIS
CITY OF LANDIS
CITIZENS OF ROWAN COUNTY**

FROM: ENOCHVILLE INCORPORATION COMMITTEE

Be it known to all that the Enochville Incorporation Committee is submitting a proposed Charter for incorporation to the North Carolina Joint Legislative Commission on Municipal Incorporation for the "Town of Enochville" on or after March 10, 2004, according to Article 20 of Chapter 120 of the General Statutes, G.S. 120-163 AND G.S. 120-164.

A copy of the proposed Charter for incorporation of the "Town of Enochville" will be available for public view at the Enochville Fire Department and Westside Grocery.

This the 25th day of February, 2004.

Yolanda Shimpock-Combs
Chairman
Enochville Incorporation Committee

Committee Members: Fred Jordan, Bill McCorkle,
Don Hinson, Glenda Upright and Barry King

704-938-7134 (H&F)
704-932-6085

R74050

<p>Valid Thursday thru Saturday March 4-6!</p> <p>Take an EXTRA \$5 off*</p> <p>ANY REG. OR SALE PRICED PANTS & CAPRIS BY KIM ROGERS, BILL BLASS, BRIGGS & LEE</p> <p>73973042</p> <p><i>Belk</i> *Normal exclusions apply. Not valid on prior purchases. Excludes Red Dot and Bonus Buys. Extra discount taken off reduced prices. No mail, phone or special orders. Cannot be combined with any other discount or coupon. See store for details.</p>	<p>Valid Thursday thru Saturday March 4-6!</p> <p>Take an EXTRA 10% off*</p> <p>ANY REGULAR OR SALE PRICED SINGLE HOME ITEM</p> <p>76049799</p> <p><i>Belk</i> *Normal exclusions apply. Not valid on prior purchases. Excludes Red Dot and Bonus Buys. Extra discount taken off reduced prices. No mail, phone or special orders. Cannot be combined with any other discount or coupon. See store for details.</p>
<p>Valid Thursday thru Saturday March 4-6!</p> <p>Take an EXTRA 15% off*</p> <p>ENTIRE PURCHASE REGULAR OR SALE PRICED INTIMATE APPAREL</p> <p>77595865</p> <p><i>Belk</i> *Normal exclusions apply. Not valid on prior purchases. Excludes Red Dot and Bonus Buys. Extra discount taken off reduced prices. No mail, phone or special orders. Cannot be combined with any other discount or coupon. See store for details.</p>	<p>Valid Thursday thru Saturday March 4-6!</p> <p>Take an EXTRA 15% off*</p> <p>ENTIRE PURCHASE REGULAR OR SALE PRICED KID'S APPAREL</p> <p>90319997</p> <p><i>Belk</i> *Normal exclusions apply. Not valid on prior purchases. Excludes Red Dot and Bonus Buys. Extra discount taken off reduced prices. No mail, phone or special orders. Cannot be combined with any other discount or coupon. See store for details.</p>



R74

orange lemon sugar and
upfront raises to large
saucapan and cork over

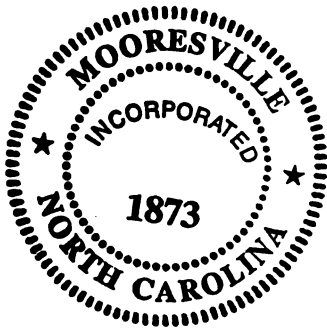


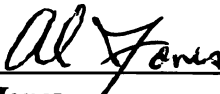
find out: her approach makes actual
recipes related to the themes of films, but
more important is her basic notion that you

Town of Mooresville
RESOLUTION
Incorporation for the Town of Enochville

BE IT KNOWN TO ALL CITIZENS, that the Mayor and Board of Commissioners of the Town of Mooresville expressly approve the Incorporation of the Town of Enochville in the County of Rowan, in the State of North Carolina.

We hereby affix our signatures in approval of this Resolution on this the seventeenth day of May, 2004.




Al Jones
Mayor


S. Mitchell Mack
Mayor Pro Tem


Franklin Campbell
Commissioner


Mitch Abraham
Commissioner


Danny Beaver
Commissioner


Frank Owens
Commissioner


Alice Lee
Commissioner

According to G.S. 120-163, the proposed municipality may not contain any non-contiguous areas. According to an examination of the map presented with the petition, the proposed Town of Enochville does not contain any non-contiguous areas.

According to G.S. 120-164, not later than five days before submitting the petition to the Commission, the petitioners shall notify:

- (1) The board or boards of county commissioners of the county or counties where the proposed municipality is located.
- (2) All cities within that county or counties.
- (3) All cities in any other county that are within five miles of the proposed municipality of the intent to present the petition to the Commission.

The petition did include copies of the notification letters to Rowan County, all municipalities within Rowan County, and all municipalities within five (5) miles of the proposed Town of Enochville. Therefore, all required notification letters were sent.

According to G.S. 120-164, "The petitioners shall also publish, one per week for two consecutive weeks, with the second publication no later than seven days before submitting the petition to the Commission, notice in a newspaper of general circulation in the area proposed to be incorporated of the intent to present the petition to the Commission."

The petition includes a copy of two notices published in the Salisbury Post newspaper. One published on March 3, 2004 and the other published on March 8, 2004.

**Assessment of Petition
by
Town of Enochville
for
Incorporation**

Relative to NC G.S. 120-166.

**North Carolina Department of Commerce
Division of Community Assistance**

**RESOLUTION CONSIDERING THE
INCORPORATION OF THE
TOWN OF ENOCHVILLE**

WHEREAS, the City Council of the City of Concord has been approached by the Enochville Incorporation Committee; and

WHEREAS, the Enochville Incorporation Committee requests that the City Council adopt a resolution in support of a new municipality in Rowan County known as the "Town of Enochville"; and

WHEREAS, N. C. Gen. Stat. 120-166(a) allows cities having a population of 50,000 or more located within five miles of any proposed municipality to make a positive recommendation to the Joint Legislative Commission on Municipal Incorporation by resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord in session on May 31, 2004, that the incorporation of a Town of Enochville is supported, provided that a referendum be held prior to any incorporation of a "Town of Enochville."

This the 8th day of June, 2004.



CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

BY J. Scott Padgett
J. Scott Padgett, Mayor

ATTEST: Vickie C. Weant
Vickie C. Weant, Clerk

Post-It [®] brand fax transmittal memo 7671		# of pages	1
To	Dwight Bass	From	Vickie Weant
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	

Division of Community Assistance (DCA) staff has reviewed the petition for incorporating the Town of Enochville relative to NC G.S. 120-167 through G.S. 120-170. The following discussion addresses each of these sections of the General Statutes.

NC G.S. 120-167 Additional criteria; population.

NC G.S. 120-167 refers to population and requires that the permanent population must be at least 100 and the population density (permanent and seasonal) must be at least 250 persons per square mile. The Rowan County Board of Elections determined there are 2,150 registered voters in the proposed Town of Enochville, which exceeds the required minimum permanent population. The Division of Community Assistance performed a land use survey of the subject area and identified 2,220 dwelling units. The 2000 US Census reports an average of 2.52 persons per household and an occupancy rate of 92.5 percent for Rowan County. This suggests 5,175 persons likely reside in the proposed area with a population density of 700.27 persons per square mile. It appears that NCGS 120-167 is satisfied.

NC G.S. 120-168 Additional criteria; development.

NC G.S. 120-168 refers to development and requires that at least 40 percent of the area must be “developed for residential, commercial, industrial, institutional, or governmental uses, or is dedicated as open space under the provisions of a zoning ordinance, subdivision ordinance, conditional or special use permit, or recorded restrictive covenant.”(1985 (Reg. Sess., 1986), c. 1003, s. 1.)

DCA used a land use survey combined with an analysis of available tax information to determine the degree of development. The survey considered parcels as “developed” if they had land use characteristics that were residential, commercial, institutional or governmental, industrial, or dedicated open spaces. Vacant parcels, , forested parcels, or agricultural parcels were considered “undeveloped”.

DCA’s analysis indicated that 40.33 percent of the subject area is developed (see Table 1 and Map A). It appears that NC G.S. 120-168 is satisfied.

NC G.S. 120-170 Findings as to services.

NC G.S. 120-170 requires that the proposed municipality can provide, at a reasonable tax rate the services requested by the petition and that the proposed municipality can provide at a reasonable tax rate the types of services usually provided by similar municipalities. Enochville has proposed a \$.05/\$100 property tax rate with an estimated annual property tax revenue of \$115,795. As a result of the types of services the Town of Enochville plans to provide and the manner in which those services would be provided, the proposed \$.05/\$100 property tax rate appears to be reasonable.

There is insufficient data available on newly incorporated municipalities to accurately compare their tax rate with the tax rate proposed by Enochville. However, to give some indication of a comparison of Enochville's tax rate and that assessed by similar municipalities, DCA compared Enochville with the North Carolina Department of Treasurer 2003 Municipal Financial Profiles. Enochville has proposed a \$.05/\$100 property tax rate with an estimated property tax revenue of \$115,795. In comparison, the North Carolina Department of Treasurer indicates in its report that in 2003, municipalities between 2500 and 9,999 persons had an average property tax rate of \$0.3376/\$100 assessment and an average property tax revenue of \$1,311,848. Based on an estimated tax base of approximately \$231.6 million, to generate property tax revenue similar to municipalities between 2500 and 9,999 persons, the proposed Town of Enochville would need to levy a tax rate of approximately \$0.5664/\$100 of valuation. It should be noted that Enochville is at the middle of the range in the Profiles, and therefore may not need as much revenue as the comparison range average. As stated above, Enochville can provide the four proposed services at a reasonable tax rate, but would not be able to provide additional services without a significant property tax rate increase. It appears that NC G.S. 120-170 is satisfied.

Conclusion

It appears that the proposed Town of Enochville does satisfy the North Carolina General Statutes 120-167 through 120-170.. The Commission is precluded from making a positive recommendation on the incorporation of the proposed Town of Enochville.

Information sources:

Petition for Incorporation of the Town of Enochville
2000 US Census, <http://www.census.gov/> (referenced 01/05)
Rowan County GIS Department, Parcel Data and Assessment Data
North Carolina Office of State Treasurer, http://www.treasurer.state.nc.us/lgc/units/D_NC.htm
(referenced 01/05)
NC DOT GIS Data Layers, Distributed by NC CGIA (2004)

1. Sales Tax Revenue Change:

Rowan County distributes sales tax revenues on a per capita basis. This analysis uses 2002-03 actual sales tax distribution to show how that distribution would have changed had Enochville been incorporated at that time.

Current

County	Municipalities	Population	% Population	Sales Tax Distribution
Rowan		132,921	74.3%	15,221,159
	China Grove	3,855	2.2%	444,862
	Cleveland	815	0.5%	94,055
	East Spencer	1,738	1.0%	202,254
	Faith	699	0.4%	80,974
	Granite Quarry	2,213	1.2%	255,525
	Landis	3,033	1.7%	349,651
	Rockwell	2,003	1.1%	230,510
	Salisbury	28,199	15.8%	3,080,731
	Spencer	3,389	1.9%	390,377
	Kannapolis*			
	TOTAL	178,865		20,350,097

With Incorporation

County	Municipalities	Population	% Population	Sales Tax Distribution	Change
Rowan		132,921	72.4%	14,733,273	(487,886)
	China Grove	3,855	2.1%	427,297	(17,564)
	Cleveland	815	0.4%	90,336	(3,718)
	East Spencer	1,738	0.9%	192,644	(9,610)
	Faith	699	0.4%	77,479	(3,496)
	Granite Quarry	2,213	1.2%	245,294	(10,230)
	Landis	3,033	1.7%	336,185	(13,466)
	Rockwell	2,003	1.1%	222,017	(8,493)
	Salisbury	28,199	15.4%	3,125,643	44,912
	Spencer	3,389	1.8%	375,645	(14,732)
	Enochville	4,730	2.6%	524,284	524,284
	Kannapolis*				
	TOTAL	183,595			

*Town of Kannapolis is located in Rowan and Cabarrus counties. It is impossible to determine what proportion of Kanapolis' sales tax revenue is appropriated by the Rowan County. Therefore, Kanapolis is not included in the present analysis.

2. Powell Bill Allocation Change

Annually state street aid or Powell Bill allocations are made to incorporated municipalities which establish their eligibility and qualify as provided by G.S. 136-41.1-.3. The amount allocated to each municipality is based on both population and qualifying street miles within the municipality.

FY 2002-03 population based allocations assumed a total, statewide municipal population of 4,260,745 and available funds of \$90,658,018.63. This created a per capita distribution rate of \$ 21.28.

Adding the new population of Enochville (4,730) to the statewide total creates a new population of 4,262,895. However, the change is too small to have a visible impact on the per capita distribution rate, which would change to \$21.25. Therefore, incorporation will have no impact on the Powell Fund distributions received by other Rowan county municipalities.