

MINUTES DECEMBER 9, 2013

REGULAR MEETING 7:00pm

Mayor Pro-Tem and all Council Members present.

Mayor Pro-Tem Pardue called the meeting to order and Council Member Danny Lewis led the invocation followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Council Member Moore made the motion to approve the Minutes from the workshop meeting November 18, 2013 and the regular meeting November 18, 2013, Council Member Lewis seconded the motion, unanimous 5-0.

PUBLIC HEARING ON PETITION FOR ANNEXATION

The Town has received a petition for annexation from Rajni Patel, Sumitra Patel and Jon Gambill for their property located at 5543 US 21 Hwy. This is the location of the Jonesville Pit Stop convenience store and the Subway Restaurant. As required by State Statute the Town Clerk has certified the sufficiency of the petition.

At the public hearing any person owning property in the area proposed for annexation and any resident of the Town may speak on the question of the sufficiency of the petition and the desirability of the annexation. Following the public hearing the Council may adopt an ordinance annexing the property described in the petition. According to State Statute, the Council should consider if:

- (1) the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b),
- (2) the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160A-58.1(a)
- (3) the petition is otherwise valid.
- (4) the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation.

The Town Manager and Town Clerk hereby certify that items number 1 – 3 listed above are satisfied according to State law. Item number 4 listed above is to be decided by the Town Council. The annexation ordinance may be made effective immediately or on any specified date within six months from the date of passage.

No one spoke at the Public Hearing so Council Member Moore made the motion to close the hearing and Council Member Green seconded the motion, unanimous 5-0.

Council Member Lewis made the motion to move forward with the annexation ordinance making it effective immediately and Council Member Green seconded the motion, unanimous 5-0.

MINERAL SPRING DRIVE UPDATE

The engineers with Blue Ridge Environmental Consultants have completed the field work on North Mineral Spring Drive and are forwarding the assessment for our review. (At the time that the agendas were completed we had not received the assessment. We will provide all documentation that has been received at the meeting.) A copy of the assessment is enclosed in the minute book. Will discuss speed bumps in the Spring around budget time.

Council Member Lewis made the motion to make the repairs a priority and open the road back up as soon as possible and Council Member Wall seconded the motion, unanimous 5-0.

(NOTE – By North Carolina Statute the December meeting following an election is set as the organizational meeting of the Council. The outgoing Council will hear all old business prior to the swearing in ceremony being conducted. Following the swearing in ceremony the new official(s) will take their seats at the Council table and hear all new business to complete the meeting.)

SWEARING IN OF NEW TOWN COUNCIL MEMBERS

As prescribed by the State of North Carolina Constitution, all elected officials must swear an oath of allegiance to the United States and the State of North Carolina prior to officially taking office. As per Town tradition, Town Clerk Lynn Trivette will conduct the swearing in ceremony for Mayor Pardue. Following the Mayor's swearing in, Mr. Pardue will conduct the swearing in ceremony for Ms. Darnell and Mr. Green. At the conclusion of the swearing in ceremony, the new officials will take their seats at the Board table and continue the meeting.

SELECTION OF MAYOR PRO TEM

According to State Law, every Town must have a Mayor Pro Tem to act in place of the Mayor in case of his absence. The Mayor Pro Tem is designated to act in the absence of the Mayor and otherwise shares the same powers and responsibilities as other Town Council members. The Mayor Pro Tem serves at the pleasure of the Council (meaning the person selected may be changed at any time.)

Council Member Wall made the motion to approve Council Member Moore as Mayor Pro Tem and Council Member Green seconded the motion, unanimous 5-0.

BOARD VACANCY – MR. PARDUE’S UNEXPIRED TERM

Mr. Pardue’s election to the position of Mayor will create a vacancy on the Town Council. The appropriate State statute is quoted below. The Council may decide to appoint someone at this time or table the decision to a future date.

NCGS§ 160A-63. Vacancies.

A vacancy that occurs in an elective office of a city shall be filled by appointment of the city council. If the term of the office expires immediately following the next regular city election, or if the next regular city election will be held within 90 days after the vacancy occurs, the person appointed to fill the vacancy shall serve the remainder of the unexpired term. Otherwise, a successor shall be elected at the next regularly scheduled city election that is held more than 90 days after the vacancy occurs, and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the unexpired term.

Council Member Greenl made the motion to table any discussion until the next board meeting January 13, 2013and Council Member Moore seconded the motion, unanimous 5-0.

PUBLIC FORUM

No one spoke.

DEPARTMENTAL REPORTS

The departmental reports are included in your agenda packet. The Council will need to make a motion to approve the monthly financial report.

Town Manager addressed the Board about a noise ordinance complaint. The citizen was complaining about the noise coming from truck jak breaks. The Board would like Town Manager to research this issue and bring amended ordinance draft to the January meeting.

Council Member Moore made the motion to approve the financial reports and Council Member Green, seconded the motion, unanimous 5-0.

CLOSED SESSION – PERSONEL MATTER

Council Member Green made the motion to go into close session and it was seconded by Council Member Wall, unanimous 5-0.

Council Member Moore made the motion to go back into regular session and it was seconded by Council Member Wall, unanimous 5-0.

With no pending business to discuss Council Moore made the motion to adjourn and Council Member Wall, seconded the motion, unanimous 5-0.

Mayor, Gene Pardue

Town Clerk, Lynn Trivette