

**MINUTES
ARCHER LODGE TOWN COUNCIL MEETING
MONDAY, DECEMBER 14, 2009**

PRESENT: Mike Gordon, Interim Mayor; Carlton Vinson, Mayor Pro Tem; Jeff Barnes, Interim Councilman; Clyde Castleberry, Interim Councilman; Matt Mulhollem, Interim Councilman; John Perry, Interim Councilman

ALSO PRESENT: David Mills, Town Attorney and Lisa Barnes, Acting Clerk

ITEM 1 Call to Order

At 7:04 p.m., Mayor Gordon called the meeting to order. Councilman Mulhollem led us in prayer.

ITEM 2 Public Comment

Mayor Gordon opened the floor for any public comment. There were about 7 people in attendance and 2 reporters. No comments were made.

ITEM 3 Action Agenda

(3a.) Mayor Gordon asked for approval of the December 4, 2009 minutes. Mayor Pro Tem Vinson made the motion that we approve the minutes. Councilman Barnes second and with a show of hands, all approved.

(3b.) Mayor Gordon asked if there were any adjustments to the agenda for tonight. Mayor Pro Tem Vinson made the motion that the Council request the County to exercise the powers granted by Chapter 160A, Article 19 of the General Statutes, in all areas lying within the Town's corporate limits, for a period of one year subject to the terms of the "Proposal for Town of Archer Lodge for Planning and Land Use Items." Councilman Perry second and all were in favor with a show of hands. It was added as Item 4g to the agenda but was covered here under Action Item 3b.

ITEM 4 Items for Discussion

(4a.) Adopt Town Seal - Mayor Gordon had asked Mayor Pro Tem to add a border and the established date of incorporation to the proposed town seal. There was some discussion concerning the town seal regarding the covered bridge not being in town limits, but Vinson felt as a historic symbol that the covered bridge was the gateway to Archer Lodge. Some suggestions were the Archer Lodge Masonic Building or C. E. Barnes store. He will work on the changes. Councilman Barnes made a motion to table

this agenda item until the January meeting so we can have an official seal to approve. It was second by Councilman Castleberry and with a show of hands, all agreed.

(4b) Discuss Planning Board Duties and Possible Nominees – Attorney Mills read a motion for consideration by the Council stating, pursuant to GS 160A-360(d), that the Town Council respectfully requests that the County exercise the powers granted by Chapter 160A, Article 19 of the General Statutes, in all areas lying within the Town's corporate limits, for a period of one year subject to the terms of that "Proposals for Town of Archer Lodge for Planning and Land Use Items," which was approved by the Board of County Commissioners on July 6, 2009; except that the Town Council requests that County extend certain deadlines contained therein from 60 days to 90 days following incorporation and the remaining terms be adjusted accordingly due to the requirement for public hearings in order to create and appoint a planning board, and to conduct the necessary reviews and public hearings to adopt a zoning ordinance. In the meantime, the County's ordinances, zoning, land use regulations, and powers of enforcement will remain in effect, notwithstanding the provisions of GS 160A-360(f). Mayor Pro Tem Vinson made motion that we ask for this extension per this motion read by Attorney Mills. It was second by Councilman Perry and with a show of hands, all agreed. The attorney will make Rick Hester aware of this and Mayor Pro Tem Vinson will then follow-up with a phone call to Rick Hester.

Generally the planning board serves a two year term with a five member board. Mayor Pro Tem Vinson suggested they rotate term--two serving one year and three serving two years. They generally meet once month. They set there own schedule. They would need to ask for letter of request to serve on the planning board then the Town Council would approve. The Council decided to put an application on the Town website for people to apply and any others that express an interest have them fill out an application. Attorney Mills will send us a copy of the planning board application from the Town of Four Oaks. Andy Holland, our webmaster, will put on website. Form can either be emailed or mailed in. Applications will be due by the 30th in time for the Council to review before the public hearing. Councilman Mulhollem made a motion that we schedule a special meeting on Thursday, January 7 and hold a public hearing at that meeting for the purpose of the creation and appointment of a planning board. Councilman Barnes second and motion was approved by all with a show of hands. Following the public hearing, the Council should consider and possibly vote on a planning board.

(4c.) Appoint Finance Director - Mayor Pro Tem made a motion that Councilman Perry become our Financial Director. Jeff Barnes second and it was approved by all with a show of hands. Attorney Mills will make a copy of the statutory duties of a Finance Officer and a Budget Officer.

(4d.) Discuss Bid Proposals for Obtaining Bank Account – Mayor Gordon suggested we let our new appointed Finance Director look into what other towns have used in the past to give us a guideline and when he gets the statute from Attorney Mills, make sure

we have the proper items in the bid proposal to the banks and suggested having by the next regular meeting to discuss.

(4e.) Appoint Tax Collector – Attorney provided an agreement relating to collection of Town of Archer Lodge taxes by Johnston County (see attachment). Pat Goddard is the county tax collector and has a standard contract with all other towns in the county for collecting their ad valorem taxes and vehicle taxes. Mayor Pro Tem Vinson made the motion that the Town of Archer Lodge approve the resolution ratifying an agreement relating to collection of Town of Archer Lodge taxes by Johnston County. This was second by Councilman Barnes and approved by all with a show of hands. The attorney pointed out that in the Agreement under 2b., that the billing of ad valorem taxes would be for one half of the 2009 tax year. Some discussion was held and Council felt like this being billed at one half instead of two thirds of the year could be a problem for us since we are starting out with nothing. Attorney Mills said that since the agreement has not been signed or approved by the County that we could approve the agreement, but with a language change billing of ad valorem taxes levied by the Town prorated in accordance with the Town's charter based on date of incorporation. Councilman Castleberry offered an amendment to the motion by Mayor Pro Tem Vinson that we change the language in paragraph 2b and ask for a higher percentage. Motion now reads, on the Agreement relating to collection of Town of Archer Lodge taxes by Johnston County, Paragraph 2b, the Tax Collector shall perform on behalf of the Town those duties specified in N. C. Gen. Stat. 105-350, collecting Town's ad valorem taxes with the July, 2009 billing of ad valorem taxes levied by the Town, prorated according to the town's charter based upon the date of incorporation. Motion was second by Councilman Perry and approved by all with a show of hands. Attorney will redraft agreement and get back to Mayor and Clerk to sign.

(4f.) Schedule a Public Hearing on the Adoption of a Budget – This will need two week advance notice. Mayor Pro Temp made the motion that we hold a special meeting on January 7 and we include a public hearing on the issue of adoption of a budget ordinance for the 2009-2010 fiscal year and may consider taking action on the adoption of the budget following the hearing. Councilman Barnes second and was approved with a show of hands.

Mayor Pro Tem Vinson asked for a 5 minute recess and was second by Councilman Perry and agreed by all. Meeting was called back to order at 8:26 p.m.

(4g.) Resolution was addressed under Item 3b and motion was made and approved by all.

ITEM 5 New Town Address

The town has obtained a post office box. The official town address is P. O. Box 1500, Clayton, NC 27528.

ITEM 6 Adjournment

Councilman Barnes made the motion that the meeting adjourn at 8:35 and was second by Mayor Pro Tem Vinson and approved by all.

Mike Gordon, Interim Mayor

Submitted by: Lisa Barnes, acting clerk