

**NOTICE OF A SPECIAL MEETING OF THE  
ASHEBORO CITY COUNCIL  
Thursday, March 19, 2009  
7:00 O'clock P.M.**

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Notice of a special meeting of the City Council of the City of Asheboro, North Carolina is hereby given. This special meeting will be held on Thursday, the 19<sup>th</sup> day of March 2009 at 7:00 o'clock p.m. in the Conference Room at the City of Asheboro Public Works Facility, which is located at 1312 North Fayetteville Street in Asheboro, North Carolina.

This special meeting has been called in order to allow the Asheboro City Council to consider the following items:

- a. A city staff member is to certify that the combined notice of the public informational meeting and public hearing on the question of the proposed annexation of an area that can be generally described as consisting of the North Shore Subdivision as well as Snowdon Court and portions of Brookwood Drive and Twain Drive was given in accordance with Section 160A-49 of the North Carolina General Statutes; and
- b. A public hearing is to be conducted on the question of the city-initiated annexation of 76.856 acres of land, more or less, in an area generally described as consisting of the North Shore Subdivision as well as Snowdon Court and portions of Brookwood Drive and Twain Drive. During this public hearing, the annexation report will be explained by a city staff member and all residents and property owners in the area proposed for annexation along with all residents of the City of Asheboro will be given an opportunity to address the city council on the merits of the annexation proposal and the sufficiency of the annexation report.

All officers of the city and all other persons whomsoever are hereby given notice that this meeting will be held. This notice is issued on the 13<sup>th</sup> day of March 2009 pursuant to the laws of the State of North Carolina and the City of Asheboro.

s/ David H. Jarrell  
David H. Jarrell, Mayor

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**SPECIAL MEETING  
ASHEBORO CITY COUNCIL  
CONFERENCE ROOM, CITY OF ASHEBORO PUBLIC WORKS FACILITY  
THURSDAY, MARCH 19, 2009  
7:00 p.m.**

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This being the time and place for a special meeting of the Asheboro City Council, a meeting was held in the conference room of the Asheboro Public Works Facility located at 1312 North Fayetteville Street, Asheboro, North Carolina 27203 with the following members and officials present:

- David H. Jarrell            ) – Mayor Presiding
  
- Talmadge S. Baker        )
- Edward J. Burks           )
- Linda H. Carter           )
- Stuart B. Fountain        ) – Council Members Present
- Walker B. Moffitt         )
- Archie B. Priest, Sr.      )
- David H. Smith            )
  
- John N. Ogburn, III, City Manager
- Dumont Bunker, P.E., City Engineer
- Max C. Cole, Engineering Assistant
- Holly H. Doerr, City Clerk/Senior Legal Assistant
- W. Andrew Fioranelli, GIS/IT Specialist
- R. Reynolds Neely, Jr., Planning Director
- O. Lynn Priest, Community Development Director
- Deborah P. Reaves, Finance Director
- Jonathan Sermon, Assistant Parks and Recreation Director
- A. Todd Stout, Information Technologist
- Jeffrey C. Sugg, City Attorney

**1. Call to order.**

Mayor Jarrell called the meeting to order for the transaction of business, and business was transacted as follows.

**2. Mayor Jarrell opened the public hearing on the question of the proposed annexation of an area that can be generally described as consisting of the North Shore Subdivision as well as Snowdon Court and portions of Brookwood Drive and Twain Drive.**

- (a) Certification by Max Cole of the mailing of the combined notice of the public informational meeting and public hearing in accordance with Section 160A-49 of the North Carolina General Statutes.

Mr. Max C. Cole presented the affidavit of publication and the following Certificate of Service of Notice certifying the mailing of the combined notice of the public informational meeting and public hearing in accordance with Section 160A-49 of the North Carolina General Statutes.

**CERTIFICATE OF SERVICE OF NOTICE**

TO: Mayor David H. Jarrell and the City Council of the City of Asheboro, North Carolina

I, Max C. Cole, Engineering Assistant for the City of Asheboro, do hereby certify that legible copies of the "NOTICE OF PUBLIC INFORMATIONAL MEETING AND PUBLIC HEARING ON QUESTION OF ANNEXATION" were mailed on January 16, 2009 in accordance with Section 160A-49(b) of the North Carolina General Statutes by first class mail, postage prepaid, to the owners of all freehold interests in real property located within the proposed annexation area. The area proposed for annexation is generally described as consisting of the North Shore Subdivision as well as Snowdon Court and portions of Brookwood Drive and Twain Drive. A copy of this notice is attached as Exhibit 1 and is hereby incorporated into this certification by reference as if copied fully herein.

The recipients of the notices were identified by means of searching the tax records of the County of Randolph. Subsequent to this initial mailing, I reviewed the county tax records again and determined that two (2) of the original ninety (90) notices had not been sent to the correct property owners. On January 22, 2009, based on updated tax records, I mailed notices to individuals who had not been listed as property owners on the mailing list of January 16, 2009, and who were owners of freehold interests in real property located in the proposed annexation area.

As of today's date, none of the notices mailed to the correct property owners on January 16 and 22, 2009 were in fact returned to the post office box designated for the receipt of returned notices.

This certification is made on this the 19<sup>th</sup> day of March 2009.

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s/ Max C. Cole  
Max C. Cole  
Engineering Assistant

[Exhibit 1 that is referred to in the above certificate of service is on file in the City Clerk's office.]

[The affidavit of publication from *The Courier-Tribune* is also on file in the City Clerk's office.]

- (b) Mr. R. Reynolds Neely, Jr., Planning Director, explained the annexation report previously approved by the City Council that details how the area proposed for annexation meets the statutory standards for annexation and how municipal services provided by the City of Asheboro will be extended to the area proposed for annexation as of the effective date of the annexation. As proposed, the said annexation would be effective on June 30, 2010. Mr. Neely presented the official report to the City Clerk.

- (c) Mayor Jarrell then invited all persons resident or owning property in the proposed annexation area as well as all residents of the municipality to address the City Council and be heard on the question of the proposed annexation.

Mr. Bill Mollman of 561 Twain Drive presented comments and concerns in opposition to the annexation. Mr. Mollman was concerned that his taxes would be doubled with no increase in benefits. He was happy with the services that he already receives.

Mr. Guy Lichty of 811 North Shore Drive had similar concerns. He felt that he would not be getting anything out of the annexation except for higher taxes.

Mr. Donnie Hammer of Brookwood Drive had concerns of garbage trucks turning around at the end of Brookwood Drive since there is no cul-de-sac. Mr. Hammer was also concerned with the guttering along side of Brookwood Drive due to the problems in the past with water running down the road. In response, Mayor Jarrell explained to Mr. Hammer that the city would take precautionary measures in order to pick up the garbage safely.

Mr. John Cowan of 1079 Snowdon Court was opposed to the annexation. Mr. Cowan was unsure of the reason why some residences within the area were being annexed and some were not. Additionally, Mr. Cowan was concerned that the growth of the city would put a strain on its workers. Mr. Cowan felt that annexation without representation is wrong and felt that he should be able to vote on whether or not to be annexed.

Mr. Lynn Lancaster, a resident of Asheboro, presented comments in opposition to the annexation. Mr. Lancaster felt that the city should be conservative stewards of tax dollars and that the timing of this annexation is wrong. Additionally, Mr. Lancaster felt the need for the construction of fire stations as well as satellite police stations in the near future should be addressed if the city continues to grow. And lastly, Mr. Lancaster expressed his opinion that annexation, without the vote of the people, is not consistent with American ideals.

There being no further comments from the public, Mayor Jarrell closed the public hearing on the proposed annexation.

Mr. Ogburn reminded everyone that the Council would consider the ordinance to extend the corporate limits at its regular meeting on June 4, 2009.

There being no further business, the meeting was adjourned at 7:35 p.m.

                  s/ Holly H. Doerr                    
Holly H. Doerr, City Clerk

                  s/ David H. Jarrell                    
David H. Jarrell, Mayor