

GENERAL ASSEMBLY OF NORTH CAROLINA

SECOND EXTRA SESSION 1996

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HOUSE BILL 20
Committee Substitute Favorable 7/16/96

Short Title: Wilson's Mills/Four Oaks.

(Local)

Sponsors:

Referred to:

July 8, 1996

1 A BILL TO BE ENTITLED
2 AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS
3 IN JOHNSTON COUNTY, AND TO ALLOW DEANNEXATION OF AN AREA
4 BY THE TOWN OF FOUR OAKS.

5 The General Assembly of North Carolina enacts:

6 Section 1. A Charter for the Town of Wilson's Mills is enacted to read:

7 "CHARTER OF THE TOWN OF WILSON'S MILLS.

8 "CHAPTER I.

9 "INCORPORATION AND CORPORATE POWERS.

10 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town
11 of Wilson's Mills are a body corporate and politic under the name 'Town of Wilson's
12 Mills'. Under that name they have all the powers, duties, rights, privileges, and
13 immunities conferred and imposed upon cities by the general law of North Carolina.

14 "CHAPTER II.

15 "CORPORATE BOUNDARIES.

16 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries
17 of the Town of Wilson's Mills are as follows:

18 "Beginning at a point where the east R/W line of SR 1914 intersects the southern R/W
19 of Hwy 70 bypass. Thence along the southern R/W of 70 bypass in a westerly direction

1 to where it intersects with Kenneth R. Jones (Twin Creek S/D) thence in a southerly
2 direction to the southeastern corner of Tax Parcel 17507015. Thence following along the
3 southern line of Tax Parcel 17507015 to where it intersects the eastern right of way of
4 Swift Creek Rd. thence along the eastern of Swift Creek Road in a southerly direction to
5 where it intersects with the western line of Glenview Acres thence along the lines of
6 Glenview Acres encompassing above said subdivision to the western R/W line of Swift
7 Creek Rd. thence along said right of way in a northerly direction to where it intersects the
8 southern R/W of Hwy 70 bypass, thence along the southern R/W of Hwy 70 bypass to
9 where it meets the southwestern property corner of Tax Parcel 17507009A at a
10 perpendicular angle thence along the western property line of Tax Parcel 17507009A to
11 where it intersects Wilson Mills Rd's northern R/W. Thence along said R/W in a
12 westerly direction to the western boundary of Tax Parcel 17J0602A thence along the
13 western boundaries of Tax Parcels 17J06023A, 17K07005L, 17J06022A and 17J0621 to
14 the northwest corner of 17J0621 thence along the northern and western lines of Tax
15 Parcel 1750621 to where it intersects the southwesterly corner of Tax Parcel 17K07195I
16 thence along the southern property line of Tax Parcel 17K071951 to where it joins Tax
17 Parcel 17K0700SE. Thence along the western and northern line of Tax Parcel
18 17K0700SE to the eastern R/W of Powhattan Road thence along the eastern R/W of
19 Powhattan Road to where it intersects the northern boundary of Tax Parcel 17K07004A
20 thence with the northern and western line of Tax Parcel 17K07004A to the southeastern
21 corner of Tax Parcel 17K07004A. Thence leaving said point traveling in a northeasterly
22 direction to the northeastern point of Tax Parcel 17K07005A. Thence along a
23 meandering line encompassing Tax Parcels 17K07005B, 17K07195 and 17K08015M to
24 the western R/W of Fire Dept Road thence along the western R/W line of Fire Dept Road
25 to where it intersects the northern boundary of Tax Parcel 17K07013M. Thence along
26 the northern boundary of said parcel to the south eastern corner of Tax Parcel
27 17K07013M thence along a meandering line encompassing Tax Parcels 17K0714,
28 17099030F, 17K07016A, 17K07016C, 17K07016F, 17K07016G, 17J06016,
29 17K07015F, 17K07017A, 17K08024 to the southern R/W of Jones Road thence along the
30 southern right of way of said road to the northeastern corner of Tax Parcel 17K08026A
31 thence along a meandering line encompassing Tax Parcels 17K08026A thence along a
32 meandering line encompassing Tax Parcels 17K08026A, 17K08026L, 17K08027C, and
33 17K08026N to the northern right of way of North Carolina Railroad thence along said
34 right of way in an easterly direction to where it intersects the eastern right of way of
35 NCSR 1914 thence along said R/W in a southerly direction to the point and place of
36 beginning.

37 "CHAPTER III.

38 "GOVERNING BODY.

39 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing
40 body of the Town of Wilson's Mills is the Town Council and the Mayor. The Town
41 Council has five members.

42 "Sec. 3.2. **Manner of Electing Board.** The qualified voters of the entire Town elect
43 the members of the Council.

1 "Sec. 3.3. **Term of Office of Council Members.** In 1997, five members of the
2 Council shall be elected. The three persons receiving the highest numbers of votes are
3 elected for four-year terms, and the two persons receiving the next highest numbers of
4 votes shall be elected for two-year terms. In 1999 and quadrennially thereafter, two
5 members of the Council shall be elected for four-year terms. In 2001 and quadrennially
6 thereafter, three members of the Council shall be elected for four-year terms.

7 "Sec. 3.4. **Selection of Mayor; Term of Office.** The qualified voters of the entire
8 Town elect the Mayor. A Mayor shall be elected in 1997 and quadrennially thereafter for
9 a four-year term.

10 "CHAPTER IV.

11 "ELECTIONS.

12 "Sec. 4.1. **Conduct of Town Elections.** The Town Council shall be elected on a
13 nonpartisan basis and the results determined by the plurality method as provided by G.S.
14 163-292.

15 "CHAPTER V.

16 "ADMINISTRATION.

17 "Sec. 5.1. **Mayor-Council Plan.** The Town of Wilson's Mills operates under the
18 Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General
19 Statutes."

20 Sec. 2. Until members of the Town Council are elected in 1997 in accordance
21 with the Town Charter and the laws of North Carolina, Donald Eugene Byrd, George
22 Clifford Uzzle III, Peter Holt Wilson, and Pattie Wilson Caddell shall serve as members
23 of the Town Council and Kenneth Ray Jones shall serve as Mayor. Vacancies in the
24 interim Council shall be filled by appointment made by the remaining members. A
25 vacancy in the office of interim Mayor is filled by appointment made by the interim
26 governing board.

27 Sec. 3. From and after January 1, 1996, the citizens and property in the Town
28 of Wilson's Mills shall be subject to municipal taxes levied for the year beginning
29 January 1, 1996, and for that purpose the Town shall obtain from Johnston County a
30 record of property in the area herein incorporated which was listed for taxes as of January
31 1, 1996, and the businesses in the Town shall be liable for privilege license tax from the
32 effective date of the privilege license tax ordinance. For fiscal year 1996-97, ad valorem
33 taxes may be paid at par or face amount within 90 days of adoption of the budget
34 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes
35 had been due and payable on September 1, 1996.

36 The Town may adopt a budget ordinance for fiscal year 1996-97 without
37 following the timetable in the Local Government Budget and Fiscal Control Act.

38 Sec. 4. The Town of Four Oaks may by ordinance repeal any annexation
39 ordinance adopted under Article 4A of Chapter 160A of the General Statutes between the
40 date of ratification of this act and June 30, 1997. Such ordinance shall recite that the
41 Town was unable to receive funding to support extension of municipal services. Such
42 ordinance shall be recorded in the same manner as the ordinance it repealed.

43 Sec. 5. This act is effective upon ratification.