

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
March 9, 2009 – 7:00 P. M.

The Council of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina, with Mayor Tracey Clinton presiding.

Present: Mayor Clinton, Mayor Pro-tem Croffut, Council Members Bradford, Horvath, Pierce

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett

Planning/Zoning Administrator: Joshua Langen

Village Attorney: George Sistrunk

Concerned citizens: Carol Mullis, Scott Garner, Mark DiBiasio, Butch and Becky Plyler, Chuck and Gayla Adams

Meeting was called to order at 7:00 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Clinton led the Pledge of Allegiance and Croffut gave the invocation.

2. INFORMAL PUBLIC COMMENTS - none

3. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA  
Item 7A, "DISCUSSION OF FIRE STATION APPLICATION" was added; Item 7 became Item 7B; Item 17 "CLOSED SESSION: MOTION TO CALL FOR CLOSED SESSION PER NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Michael Land "was added, and "ADJOURNMENT" became Item 18. Horvath made a motion to approve the agenda with these changes; Pierce seconded the motion.

The motion passed unanimously.

4. APPROVE MINUTES FOR:

Council Meeting February 9, 2009

Council Meeting February 17, 2009

Croffut made a motion to approve the minutes for the February 9, 2009 and February 17, 2009 council meetings; Bradford seconded the motion.

The motion passed unanimously.

5. PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

The public hearing was opened. There being no comments, the public hearing was then closed.

6. PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.1

The public hearing was opened. There being no comments, the public hearing was then closed.

7A. DISCUSSION OF FIRE STATION APPLICATION

Langen noted there are two items missing from the application, therefore it is incomplete, and the applicant has requested it be postponed for two months. Butch Plyler noted the stormwater and landscape plans are not complete, and they should be complete in 60-90 days, which is why they asked for a deferral. The Mayor asked the attorney if it could be deferred, and he said it could since the applicant requested the deferral; also it would not have to go back to the planning board, (they had made their recommendation contingent on the approved stormwater and landscape plans). Horvath made a motion to defer the public hearing and discussion on CUP 09-01, CONSTRUCTION OF FIRE STATION AT 315 WAXHAW-INDIAN TRAIL ROAD, WAXHAW, NC 28173 until May 11, 2009 at 7 pm at Wesley Chapel United Methodist Church, contingent upon receiving the complete application three weeks before the meeting to allow time for the technical review by the Zoning Administrator, the engineer and Council. Pierce seconded the motion.

The motion passed unanimously.

Pierce asked if the Planning Board wanted to see the documents, Ray Davis and Chuck Adams from the Planning Board said they did not need copies of the plans.

7B. PUBLIC HEARING ON CUP 09-01, CONSTRUCTION OF FIRE STATION AT 315 WAXHAW-INDIAN TRAIL ROAD, WAXHAW, NC 28173. Item was deleted.

8. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated February 28, 2009, submitted by Cheryl Bennett, Finance Officer

Bennett reported February revenues are \$5,085; February expenditures are \$19,986 and year to date surplus is \$131,565. Croffut made a motion to approve the February 28, 2009 financial statements; Bradford seconded the motion.

The motion passed unanimously.

**February 28, 2009 Budget Report**

|  | <u>Feb 09</u> | <u>Jul '08 - Feb 09</u> | <u>Budget</u> | <u>% of Budget</u> |
|--|---------------|-------------------------|---------------|--------------------|
| <b>Revenues</b>                        |               |                         |               |                    |
| <b>Fees and Licenses</b>               |               |                         |               |                    |
| <b>Cable Franchise (from Time Warn</b> | 0.00          | 6,980.00                | 12,000.00     | 58.17%             |
| <b>Engineering Fees Reimbursement</b>  | 552.50        | 4,686.88                | 8,000.00      | 58.59%             |

Minutes 2009.03.09

|                                       |                 |                   |                   |                |
|---------------------------------------|-----------------|-------------------|-------------------|----------------|
| <b>Zoning Permit</b>                  | 285.00          | 4,050.00          | 8,000.00          | 50.63%         |
| <b>Privilege Licenses</b>             | 60.00           | 18,137.04         | 21,000.00         | 86.37%         |
| <b>Annexation Exp Reimbursed</b>      | 0.00            | 30.00             | 300.00            | 10.0%          |
| <b>Misc. Fees</b>                     | 0.00            | 2,030.08          | 200.00            | 1,015.04%      |
| <b>Violations - Zoning</b>            | 0.00            | 0.00              | 0.00              | 0.0%           |
| <b>Total Fees and Licenses</b>        | <u>897.50</u>   | <u>35,914.00</u>  | <u>49,500.00</u>  | <u>72.55%</u>  |
| <b>Interest Earned</b>                | 505.86          | 15,002.74         | 24,000.00         | 62.51%         |
| <b>Property Tax Income</b>            |                 |                   |                   |                |
| <b>Current Year Property Tax</b>      | 593.55          | 139,908.88        | 113,193.00        | 123.6%         |
| <b>Delinquent Taxes</b>               | 0.00            | 756.69            | 600.00            | 126.12%        |
| <b>Interest/Ad Fee on Taxes</b>       | 5.21            | 217.93            | 200.00            | 108.97%        |
| <b>Utility Ad Valorem</b>             | 0.00            | 0.00              | 600.00            | 0.0%           |
| <b>Vehicle Registration</b>           | 665.06          | 5,747.67          | 7,983.00          | 72.0%          |
| <b>Total Property Tax Income</b>      | <u>1,263.82</u> | <u>146,631.17</u> | <u>122,576.00</u> | <u>119.63%</u> |
| <b>Revenue Sharing</b>                |                 |                   |                   |                |
| <b>Alcoholic Beverage Tax</b>         | 0.00            | 0.00              | 19,000.00         | 0.0%           |
| <b>Cable (from State)</b>             | 0.00            | 21,116.25         | 40,000.00         | 52.79%         |
| <b>Excise Tax (Piped Natural Gas)</b> | 0.00            | 1,509.00          | 10,500.00         | 14.37%         |
| <b>Franchise Tax (Electric Power)</b> | 0.00            | 54,661.00         | 120,000.00        | 45.55%         |
| <b>Sales &amp; Use Taxes</b>          | 2,418.33        | 13,338.21         | 40,000.00         | 33.35%         |
| <b>Telecommunications Tax</b>         | 0.00            | 4,898.61          | 12,000.00         | 40.82%         |
| <b>Total Revenue Sharing</b>          | <u>2,418.33</u> | <u>95,523.07</u>  | <u>241,500.00</u> | <u>39.55%</u>  |
| <b>Total Revenues</b>                 | <u>5,085.51</u> | <u>293,070.98</u> | <u>437,576.00</u> | <u>66.98%</u>  |
| <b>Expense</b>                        |                 |                   |                   |                |
| <b>Operating Expenditures</b>         |                 |                   |                   |                |
| <b>Tax Collection Fee</b>             | 316.91          | 2,098.66          | 1,725.00          | 121.66%        |
| <b>Contingency</b>                    | 0.00            | 0.00              | 20,800.00         | 0.0%           |
| <b>Advertising - Clerk</b>            | 0.00            | 0.00              | 800.00            | 0.0%           |
| <b>Annexation Expense</b>             | 0.00            | 0.00              | 4,000.00          | 0.0%           |
| <b>Annual Retreat</b>                 | 0.00            | 0.00              | 2,000.00          | 0.0%           |
| <b>Books &amp; Literature</b>         | 0.00            | 0.00              | 600.00            | 0.0%           |
| <b>Dues and Subscriptions</b>         | 0.00            | 5,321.00          | 12,400.00         | 42.91%         |
| <b>Election Expense</b>               | 0.00            | 1,168.25          | 10,500.00         | 11.13%         |
| <b>Insurance - Liability</b>          | 0.00            | 7,783.01          | 9,600.00          | 81.07%         |
| <b>Insurance - Workmen's Comp</b>     | 0.00            | 470.00            | 800.00            | 58.75%         |
| <b>Land Maintenance</b>               | 0.00            | 0.00              | 3,000.00          | 0.0%           |
| <b>Master Plan (incl. survey)</b>     | 0.00            | 0.00              | 5,000.00          | 0.0%           |
| <b>Town office Maint.</b>             | 0.00            | 359.55            | 1,800.00          | 19.98%         |
| <b>Misc town office</b>               | 0.00            | 188.76            | 2,400.00          | 7.87%          |
| <b>Newsletter</b>                     | 0.00            | 2,573.00          | 6,500.00          | 39.59%         |

|                                     |                 |                  |                   |               |
|-------------------------------------|-----------------|------------------|-------------------|---------------|
| <b>Office Expense</b>               |                 |                  |                   |               |
| Office Equipment Repairs            | 0.00            | 0.00             | 1,000.00          | 0.0%          |
| Office Equipment                    | 0.00            | 380.41           | 2,000.00          | 19.02%        |
| Awards                              | 0.00            | 0.00             | 500.00            | 0.0%          |
| Electronic Commun (Tele/RR)         | 217.76          | 2,166.36         | 4,800.00          | 45.13%        |
| Office Supplies                     | <u>176.12</u>   | <u>696.55</u>    | <u>3,000.00</u>   | <u>23.22%</u> |
| <b>Total Office Expense</b>         | <b>393.88</b>   | <b>3,243.32</b>  | <b>11,300.00</b>  | <b>28.7%</b>  |
| <br>                                |                 |                  |                   |               |
| Postage and Delivery                | 19.95           | 136.46           | 700.00            | 19.49%        |
| Rent                                | 1,300.00        | 10,430.00        | 20,000.00         | 52.15%        |
| Seminars                            | 0.00            | 150.00           | 2,000.00          | 7.5%          |
| Travel & Entertainment              | 198.93          | 1,579.05         | 3,000.00          | 52.64%        |
| Utilities- Temp. Town Hall          | 386.22          | 1,377.21         | 4,000.00          | 34.43%        |
| Welcome Committee                   | <u>0.00</u>     | <u>0.00</u>      | <u>1,000.00</u>   | <u>0.0%</u>   |
| <b>Total Operating Expenditures</b> | <b>2,615.89</b> | <b>36,878.27</b> | <b>123,925.00</b> | <b>29.76%</b> |
| <br>                                |                 |                  |                   |               |
| <b>Gen. Govt. Salaries</b>          |                 |                  |                   |               |
| Admin. Assistant                    | 210.00          | 2,250.00         | 3,120.00          | 72.12%        |
| Allowance for Salary Adjustment     | 0.00            | 0.00             | 46,355.00         | 0.0%          |
| Mayor                               | 0.00            | 2,400.00         | 4,800.00          | 50.0%         |
| Mayor Protem                        | 0.00            | 1,500.00         | 3,000.00          | 50.0%         |
| Council Salary                      | 0.00            | 3,600.00         | 7,200.00          | 50.0%         |
| Clerk Salary                        | 1,601.25        | 15,114.25        | 31,200.00         | 48.44%        |
| Finance Officer Salary              | 710.76          | 5,863.77         | 7,920.00          | 74.04%        |
| Payroll Taxes                       | 487.17          | 4,807.34         | 9,900.00          | 48.56%        |
| Payroll exp - Unemployment          | 0.00            | 0.00             | 120.00            | 0.0%          |
| Fringe Benefits - Insurance         | 540.00          | 3,261.52         | 12,000.00         | 27.18%        |
| Fringe Benefits - Retirement        | <u>309.29</u>   | <u>4,380.57</u>  | <u>4,580.00</u>   | <u>95.65%</u> |
| <b>Total Gen. Govt. Salaries</b>    | <b>3,858.47</b> | <b>43,177.45</b> | <b>130,195.00</b> | <b>33.16%</b> |
| <br>                                |                 |                  |                   |               |
| <b>Planning &amp; Zoning</b>        |                 |                  |                   |               |
| ETJ costs                           | 0.00            | 0.00             | 1,000.00          | 0.0%          |
| Administration (COG)                | 0.00            | 0.00             | 8,000.00          | 0.0%          |
| P/Z Admin. Salary                   | 3,846.16        | 30,769.28        | 50,000.00         | 61.54%        |
| Planning & Zoning Board Salary      | 0.00            | 1,344.00         | 4,540.00          | 29.6%         |
| Advertising                         | 110.07          | 355.40           | 1,800.00          | 19.74%        |
| P/Z Office Expense                  | 39.99           | 148.95           | 1,200.00          | 12.41%        |
| Planning/Zoning Expense             | <u>19.25</u>    | <u>375.56</u>    | <u>800.00</u>     | <u>46.95%</u> |
| <b>Total Planning &amp; Zoning</b>  | <b>4,015.47</b> | <b>32,993.19</b> | <b>67,340.00</b>  | <b>49.0%</b>  |
| <br>                                |                 |                  |                   |               |
| <b>Professional Fees</b>            |                 |                  |                   |               |
| Accounting                          | 0.00            | 3,000.00         | 3,400.00          | 88.24%        |
| Engr. Consulting                    | 1,035.00        | 5,142.55         | 9,000.00          | 57.14%        |

|                                  |                  |                   |                   |               |
|----------------------------------|------------------|-------------------|-------------------|---------------|
| <b>Legal Fees</b>                | 822.50           | 19,724.28         | 48,000.00         | 41.09%        |
| <b>Security</b>                  | <u>0.00</u>      | <u>200.00</u>     | <u>1,116.00</u>   | <u>17.92%</u> |
| <b>Total Professional Fees</b>   | 1,857.50         | 28,066.83         | 61,516.00         | 45.63%        |
| <b>Parks &amp; Recreation</b>    | 0.00             | 3,986.15          | 5,000.00          | 79.72%        |
| <b>Public Safety</b>             | 0.00             | 0.00              | 4,000.00          | 0.0%          |
| <b>Transportation Study</b>      | 7,639.50         | 16,404.00         | 38,000.00         | 43.17%        |
| <b>Capital Outlay</b>            |                  |                   |                   |               |
| <b>Computer Equip.</b>           | 0.00             | 0.00              | 3,600.00          | 0.0%          |
| <b>Furniture &amp; Equipment</b> | 0.00             | 0.00              | 2,000.00          | 0.0%          |
| <b>Software</b>                  | <u>0.00</u>      | <u>0.00</u>       | <u>2,000.00</u>   | <u>0.0%</u>   |
| <b>Total Capital Outlay</b>      | <u>0.00</u>      | <u>0.00</u>       | <u>7,600.00</u>   | <u>0.0%</u>   |
| <b>Total Expense</b>             | <u>19,986.83</u> | <u>161,505.89</u> | <u>437,576.00</u> | <u>36.91%</u> |
| <b>Excess of Rev. over Exp.</b>  | <u>14,901.32</u> | <u>131,565.09</u> | <u>0.00</u>       | <u>100.0%</u> |

b. Consider approval of Budget Ordinance Amendment 2008/09 #1

Bennett explained that this budget amendment was necessary to: provide extra funds for the tax collection fee since annexation taxes brought the amount collected and fee for collections higher than expected; add salary funds for the administrative assistant who is also collecting signs; add salary funds because the salary adjustment for the Finance Officer position was made by Council after the budget was adopted; and add to the retirement contributions account since the Clerk is working more than 20 hours per week and thus covered by retirement. Bradford made a motion to approve Ordinance 2009-03, Budget Ordinance 2008/09 #1 (incorporated herein); Horvath seconded the motion.

The motion passed unanimously.

**Ordinance 2009-03**  
**Budget Ordinance 2008/09 #1**

BE IT ORDAINED by the Governing Board of the Village of Wesley Chapel, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

|                                |          |          |
|--------------------------------|----------|----------|
|                                | Decrease | Increase |
| <u>Expenditures:</u>           |          |          |
| <u>Operating expenditures:</u> |          |          |
| Tax Collection Fee             |          | \$ 425   |

|                              |         |
|------------------------------|---------|
| Misc. Town Office            | \$ 425  |
| <u>Gen. Govt. Salaries</u>   |         |
| Admin. Assistant             | \$ 400  |
| Finance Officer Salary       | \$1,320 |
| Fringe Benefits – Retirement | \$1,200 |
| Allow. For Salary Adjustment | \$2,920 |

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 9th day of March, 2009.

\_\_\_\_\_  
Cheryl Bennett, Clerk

\_\_\_\_\_  
Mayor Tracey Clinton

c. Presentation of Planning and Zoning Report by Joshua Langen  
Seven permits were issued including Hickory Tavern. It will be a freestanding building, and larger than their normal restaurant. Ordinance amendments are in process. Work continues on subdivision bonds.

9. APPOINTMENT TO COUNTY GOVERNANCE COMMITTEE  
Mayor Clinton explained the Committee will be looking at the districting issue, and appointed herself to the Committee.

10. ACCEPT RESIGNATION OF MEMBER FROM PARKS AND REC COMMITTEE AND DOWNTOWN COMMITTEE  
The resignations of Tim Spilde from the Parks and Rec Committee, and Robin Schettini-Nolan from the Downtown Committee were accepted.

11. DISCUSS POSSIBLE PARKS AND REC SURVEY INCLUSION INTO NEWSLETTER  
Bradford reported the Committee is working on the survey and hope to have it ready for inclusion in the newsletter. It is two pages front and back, and they are trying to get it to one and one half pages. Pierce is working on the pricing of the newsletter. Parks and Rec meets March 16<sup>th</sup>, so the survey will be ready for Council to review at the March 17<sup>th</sup> meeting. The survey may also be put on the website and distributed at Harris Teeter.

12. REVIEW PRESENTATION FOR BOARD OF COUNTY COMMISSIONERS JOINT MEETING  
Each Council member will have about eight minutes for their presentation. Mayor Clinton will go over the history of Wesley Chapel, our Master Plan, a map showing our borders, demographics, what's important to our residents, goals, the emerging downtown, and what makes Wesley Chapel special. Pierce will go over the General Statutes and planning, growth rates, and the steering committee plan

compared to our land use plan. Bradford will show how we are split in several fire districts, and go over fire statistics, EMS data, which towns have contract deputies or police departments, the safety committee, and neighborhood watch. Horvath will get accident data from the LARTP, traffic study growth at the three corners, residential growth, schools as traffic generators, traveling demographics, projected traffic on Hwy. 84, village goals, greenways, MUMPO working with other towns, short and long term and joint planning. Croffut will get the slides after they are sent to the Mayor, and encapsulate them. His section will include taxes, our Post Office efforts, and ask them to work with us on unincorporated areas near our borders.

13. CONSIDER APPROVAL OF ORDINANCE 2009-01, AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA (Satellite annexation).

Croffut made a motion to approve Ordinance 2009-01, An Ordinance to Extend the Corporate Limits of the Village of Wesley Chapel, North Carolina (incorporated herein). Bradford seconded the motion.

The motion passed unanimously.

**Ordinance 2009-01**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA**

WHEREAS, the Village of Wesley Chapel has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Village of Wesley Chapel Council has directed the Village Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Village Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Wesley Chapel United Methodist Church at 7:00 PM on March 9, 2009 after due notice by publication on February 24, 2009; and

WHEREAS, the Village of Wesley Chapel Council finds that the petition meets the requirements of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than two (2) miles from the primary corporate limits of the Village or is contiguous to the satellite corporate limits of the Village;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the primary corporate limits of the Village, except that this subdivision does not apply if the area proposed for annexation is contiguous to the satellite corporate limits;

- c. The area described is so situated that the Village will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits does not exceed ten percent (20%) of the area within the primary corporate limits of the Village; and

WHEREAS, the Village of Wesley Chapel Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Village of Wesley Chapel Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Village and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Wesley Chapel, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Village of Wesley Chapel as of June 30, 2009:

Parcel 06-048-529; Lot 114 Wesley Oaks, at 701 Cavendish Lane, Waxhaw NC 28173

Section 2. Upon and after June 30, 2009, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Village of Wesley Chapel and shall be entitled to the same privileges and benefits as other parts of the Village of Wesley Chapel. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Village of Wesley Chapel shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 9<sup>th</sup> day of March, 2009.

ATTEST:

\_\_\_\_\_  
Clerk Cheryl Bennett

\_\_\_\_\_  
Mayor Tracey Clinton  
APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney George Sistrunk

14. CONSIDER APPROVAL OF ORDINANCE 2009-01, AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA (Contiguous annexation).

Pierce made a motion to approve Ordinance 2009-01, An Ordinance to Extend the Corporate Limits of the Village of Wesley Chapel, North Carolina (incorporated herein). Croffut seconded the motion.

The motion passed unanimously.

**Ordinance 2009-02**  
**ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE**  
**VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA**

WHEREAS, the Village of Wesley Chapel has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Village of Wesley Chapel Council has directed the Village Clerk to investigate the sufficiency of the petitions; and

WHEREAS, the Village Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at Wesley Chapel United Methodist Church at 7:00 PM on March 9, 2009 after due notice by publication on February 24, 2009; and

WHEREAS, the Village of Wesley Chapel Council finds that the petitions meet the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Wesley Chapel, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Village of Wesley Chapel as of June 30, 2009:

All lots are located in Waxhaw, NC 28173  
Lot 1 in Estates at Wesley Oaks, parcel 06-048-332, 4904 Trinity Trace Lane  
Lot 43 in Wesley Oaks, parcel 06-048-566, 901 Springwood Drive  
Lot 92 in Wesley Oaks, parcel 06-048-507, 612 Cavendish Lane  
Lot 111 in Wesley Oaks, parcel 06-048-526, 711 Cavendish Lane

Section 2. Upon and after June 30, 2009, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Village of Wesley Chapel and shall be entitled to the

same privileges and benefits as other parts of the Village of Wesley Chapel. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Village of Wesley Chapel shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 9th day of March, 2009.

\_\_\_\_\_  
Mayor Tracey Clinton

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk Cheryl Bennett

\_\_\_\_\_  
Village Attorney George Sistrunk

15. OTHER BUSINESS

Bradford noted the Parks and Rec Committee is now meeting the third Monday of the month at the town office at 7 pm. Horvath reported Secretary Conti will be at the MUMPO meeting in downtown Charlotte at 5 pm on March 18<sup>th</sup> to discuss allocation and stimulus funds.

16. COUNCIL COMMENTS – none.

17. CLOSED SESSION: MOTION TO CALL FOR CLOSED SESSION PER NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Michael Land

Bradford made a motion to go into closed session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Michael Land, after a five minute recess. Croffut seconded the motion.

The motion passed unanimously.

The appeal of the Board of Adjustment decision on Dr. Land was discussed.

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This page left blank for closed minutes.

Croffut made a motion to leave closed session; Pierce seconded the motion.  
The motion passed unanimously.

18. ADJOURNMENT

Croffut made a motion to adjourn; Bradford seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:45 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Tracey Clinton