

**TOWN OF WENDELL  
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES  
FEBRUARY 26, 2018**

The Wendell Town Board of Commissioners held a work session meeting on Monday, February 26, 2018, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

**PRESENT:** Mayor Virginia Gray; Mayor Pro Tem Jon Lutz; Commissioners: John Boyette, David Myrick, Ben Carroll, and Jason Joyner.

**STAFF PRESENT:** Town Manger Teresa Piner, Special Assistant to the Manger-Town Clerk Sherry Scoggins, Finance Director Butch Kay, Planning Director David Bergmark, Public Works Superintendent Brian Bray, IT Administrator Tamah Hughes, and Police Chief Bill Carter.

**1. MEETING CALLED TO ORDER**

Mayor Gray called the meeting to order at 6:00 p.m.

**2. PRESENTATION ABOUT MUNICIPAL ELECTION DISTRICTS.**

**SPEAKER: Bob Joyce, law professor at UNC-SOG**

**ACTION: Presentation.**

Bob Joyce, law professor at UNC-SOG, provided two handouts; both handouts are included in the minutes book for reference:

- Statutory provisions permitting local changes to a municipality's charter, NC GS 160A-101 through 160A-111
- Municipal charters in North Carolina

Mr. Joyce provided an overview of the Town's charter and that the General Assembly may amend a Town's charter. The exceptions to the rule allowing a municipality to make an amendment to its charter are described in NC GS 160A-101 through 160A-111.

Mr. Joyce provided an overview of at-large elections, district elections, and districts allowed under [NC GS 160A-101 (6)].

Mr. Joyce provided an overview of the five routes on changing the mode of election by the municipality [NC GS 160A-102 through NC GS 160A-105].

Mr. Joyce provided the pros and cons for district elections versus at-large elections.

Commissioner Boyette questioned the number of municipalities using at-large and using districts. Mr. Joyce stated he will send those numbers to Ms. Scoggins. He added the most popular method is the at-large.

Commissioner Boyette questioned if there is a break-point as to size of the municipality and the method of election. Mr. Joyce stated he did not know. He added he can put information together to show method of election by population categories.

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Commissioner Myrick questioned for district election, if someone chose not to run in the district how the seat is filled. Mr. Joyce provided the following scenario: Suppose there are five at-large districts and the term is expiring in district 1 and the incumbent in district 1 chooses not to run and no candidates file for district 1 seat. The incumbent in district 1 would hold over because in any public office, the person holds over until the successor is appointed. If the district 1 person resigns, then a vacancy is created and is filled by the municipal elected officials.

Commissioner Joyner stated he previously heard 10,000 being the number from the UNC-SOG where more districts are seen. He questioned how the districts are created. Mr. Joyce stated districts are based on population shown in the census. The districts may become complicated if a municipality must comply with the voting compliance act.

Commissioner Joyner questioned how districts are drawn. Mr. Joyce stated there is software available to assist with drawing districts.

Commissioner Joyner questioned who municipalities use for drawing up districts. Mr. Joyce stated the municipality hiring its own attorney is recommended. In the past, the staff at the General Assembly would assist with drawing districts for a municipality. Some jurisdictions have staff in GIS that may be able to draw the districts.

**3. ADJOURN.**

**ACTION:**

Mover: Mayor Pro Tem Lutz moved to adjourn at 6:29 p.m.

Vote: Unanimous.

Duly adopted this 12th day of March 2018, while in regular session.

**ATTEST:**

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Virginia R. Gray, Mayor

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Sherry L. Scoggins, MMC; Town Clerk