



GUILFORD COUNTY CLERK TO BOARD

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DATE: August 18, 2016
TO: Board of County Commissioners (*via hand delivery and weekly mailer*)
FROM: Robin Keller, Clerk to Board *RK*
CC: Marty Lawing, County Manager; Clarence Grier, Deputy County Manager, Mark
Payne, County Attorney; Charlie Collicutt, Elections Director
RE: *Sedgefield Sanitary District Vacancy*

Dear Commissioners,

Please be advised that earlier this week we were notified by the Elections Department that Hub White, Sedgefield Sanitary District Commissioner, passed away on August 11, 2016. Pursuant to N.C.G.S. §130A-54, any vacancy in a sanitary district board shall be filled by the county commissioners until the next election for sanitary board members. Mr. White's term does not expire until November 2017.

Due to Mr. White's passing the Board will be asked to appoint his temporary replacement. After consulting with the County Attorney it is recommended that an appointment be made within the next 90 days; which would roughly be the end of October.

I have contacted Bob Stout, current Chairman of the Sanitary District to advise him of the next steps in the process. Mr. Stout has some recommendations for replacements for the Board to consider. Mr. Stout shared that due to his own medical conditions they have no upcoming meetings scheduled and that he can be reached, after Monday, at (828) 898-3150 or by email at stout@triad.rr.com

Staff will need direction as to how the board would like to solicit candidate information for consideration. Please let me know if you would like me to collect names from Mr. Stout, or if there is interest to solicit candidates through other means.

CLERK TO BOARD

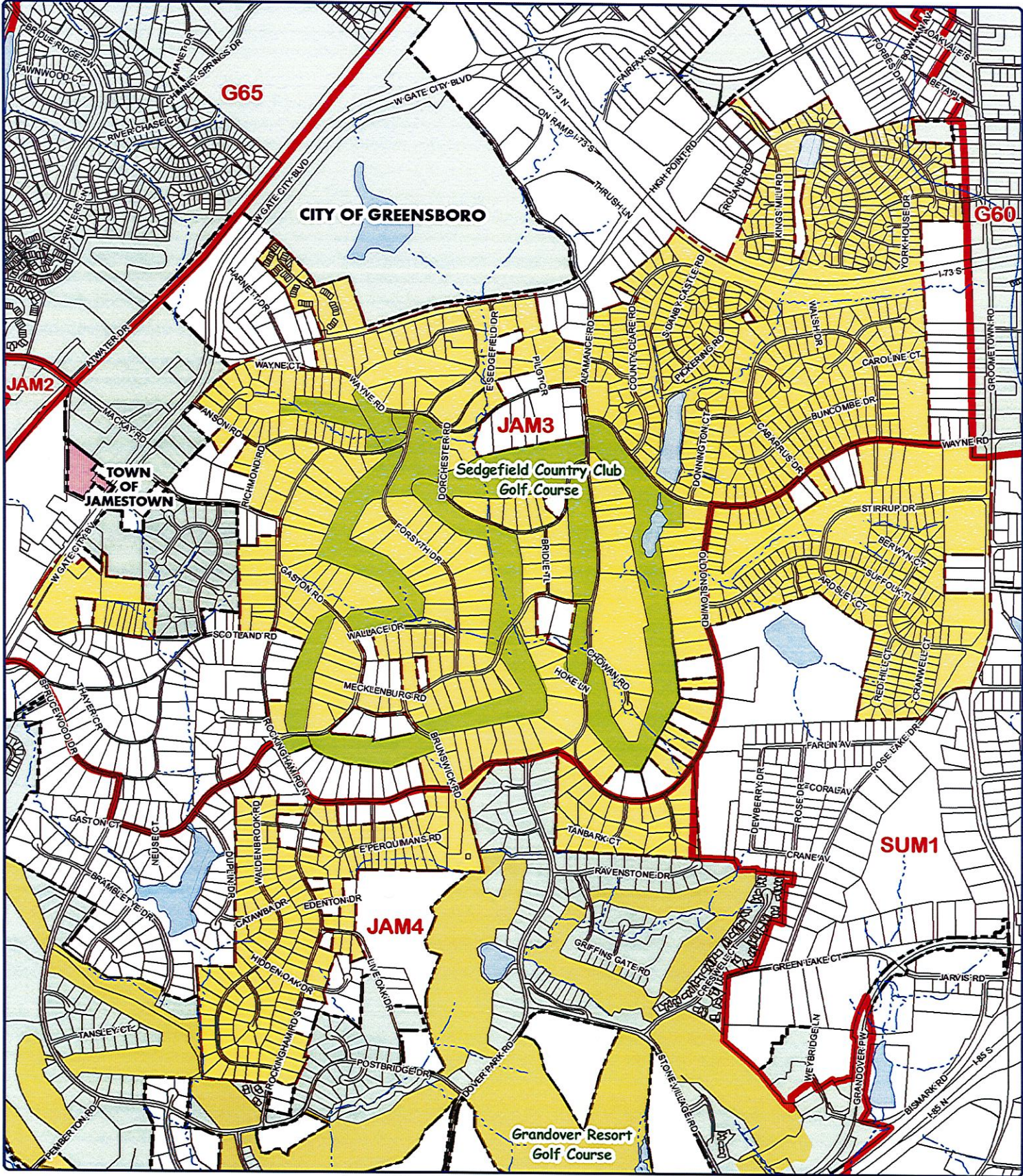
Some additional information regarding the Sedgefield Sanitary District:

- It is the only Sanitary District in Guilford County
- It was created by the Board of Commissioners in 1963 consisting of a 5 member board, each who shall be residents of the district and who are elected.
- The Sanitary District is a separate public body and has the ability to levy taxes on the property within the district.
- There are currently 1,099 parcels in the district with a taxable value of \$295,346,973. The district does levy a property tax, with the current rate set at \$0.036 per \$100 of value.

Please let me know if you have any questions. Thank you.

Attachments: Map
N.C.G.S 130A-54
Authorizing Resolution

SEDFIELD SANITARY DISTRICT



Date: 8/17/2016

**Voting Precinct**

**Sedgfield Sanitary District**



§ 130A-54. Vacancy appointments to district boards.

Any vacancy in a sanitary district board shall be filled by the county commissioners until the next election for sanitary district board members. If the district is located in more than one county, the vacancy shall be filled by the county commissioners of the county from which the vacancy occurred. (1935, c. 357, s. 2; 1957, c. 1357, s. 1; 1981, c. 186, s. 2; 1983, c. 891, s. 2.)

Chapter 53

UTILITIES*

Art. I. In General, §§ 53-1—53-15

Art. II. Sedgefield Sanitary District, §§ 53-16, 53-17

ARTICLE I. IN GENERAL

Secs. 53-1—53-15. Reserved.

ARTICLE II. SEDGEFIELD SANITARY DISTRICT†

Sec. 53-16. Established; boundaries.

The board of county commissioners, having heard all persons desiring to be heard in the matter of establishment of Sedgefield Sanitary District at a public hearing called for that purpose, does hereby determine that a district for the purposes set forth in the petition should be created and established in that certain territory more particularly described in "Exhibit A," which is set forth on pages 405 and 406 of the minutes of the board of commissioners of February 18, 1963 and made a part of this section as fully as if set forth herein verbatim. (Code 1971, § 3-1-41)

State law reference—Territory in a sanitary district restricted, G.S. § 130-123.

Sec. 53-17. Board created.

The board of county commissioners, in accordance with the provisions of the General Statutes of North Carolina, section 130-126, does hereby determine that the Sedgefield Sanitary

*Cross references—Water and sewer facilities, § 1-17 et seq.; ambulance services, Ch. 44; cable television, Ch. 46; local laws on utilities, Ch. 23; abandoned wells, septic tanks, etc., § 71-8; septic tanks and sewage disposal, Ch. 74.

State law references—Public enterprises, G.S. § 153A-274 et seq.; water and sewer systems, G.S. Ch. 162A; power of county to levy property taxes to provide water and sewer services, G.S. § 153A-149(c)(29), (34).

†Cross reference—Local laws on sanitary districts, § 23-23 et seq. State law reference—Sanitary districts, G.S. § 130-123 et seq.

District board shall consist of five (5) members, each of whom shall be a resident of said district and each of whom shall serve until his successor is elected and qualified. (Code 1971, § 3-1-42)

State law references—Election and terms of office of sanitary district boards, G.S. § 130-126; vacancy appointments to district boards, G.S. § 130-127; corporate powers, G.S. § 130-128; organization of board, G.S. § 130-129.

MINUTES OF BOARD OF COUNTY COMMISSIONERS

Greensboro, North Carolina
February 18, 1963.

The Board of County Commissioners of Guilford County met in adjourned regular session at 9:30 A. M. at Sedgefield Inn, near Greensboro, N. C.

PRESENT: Chairman Dale C. Montgomery; Commissioners William E. Davis, Percy H. Sears, L. C. Amos, William G. Ragsdale, Jr.

ABSENT: None.

ALSO PRESENT: Annie F. Parham, Clerk to Board and Co-Acting County Manager; Durward S. Jones, County Attorney.

Reverend P. D. Early offered the invocation.

Monthly reports were submitted from the following department heads: For January: L. M. Thompson, Director of Welfare; Van L. Trexler, Veterans Service Officer; For December: Curtis R. Kennedy, Electrical Inspector.

A hearing was held with a representative of the North Carolina State Board of Health on a petition presented to this Board requesting the establishment of a Sanitary District in the Sedgefield area. The hearing had been advertised as required by law. Present representing the State Board of Health was D. N. Cote, Assistant Regional Engineer. County Attorney Jones outlined the steps that had been taken and the procedure to be followed in order to determine whether the Sanitary District should be established. J. Archie Cannon, Jr., Attorney for the petitioners, said that the area described in this petition consisted of approximately 551 acres whereas the area described in a previous petition to establish a Sanitary District in the Sedgefield area upon which a hearing was held December 28, 1962, consisted of approximately 1,060 acres; that the property of those land owners who did not want to be included in the petition had been omitted; and that 70.2% of the people in the area described had signed the petition. The description of the proposed Sanitary District was read by Mr. Cote. The floor was opened to those in the area who were opposed to the creation of a Sanitary District and no one spoke in opposition to the proposal. The floor was opened to those in the area who were in favor of the creation of a Sanitary District, and Mr. Cannon requested on behalf of the petitioners that the Board of County Commissioners and State Board of Health give approval to the proposed Sanitary District. The floor was opened to others who wished to comment and no one expressed a desire to speak.

Commissioner Ragsdale offered the following resolution and moved its adoption:

WHEREAS, the Board of County Commissioners of Guilford County met on Monday, February 18, 1963, at 9:30 o'clock A. M. at Sedgefield Inn for the purpose of considering a Petition for the establishment of a Sanitary District in the Sedgefield area of Guilford County; and

WHEREAS, a representative of the State Board of Health did meet with the said Board of County Commissioners, and all persons desiring to be heard upon the matters arising from said Petition were heard, and the Board of County Commissioners deeming it advisable to comply with the request of said Petition and being of the opinion that a District for the purposes set forth in the Petition be established in that certain territory known as the Sedgefield area and lying in Jamestown and Sumner Townships, which territory is more particularly described in Exhibit A which Exhibit is set forth on pages 405 through 406 of these minutes.

NOW, THEREFORE, BE IT RESOLVED:

That the Board of County Commissioners of Guilford County, North Carolina, having heard all persons desiring to be heard in this matter at a public hearing called for that purpose, does hereby deem it desirable to comply with request of said Petition and does hereby determine that a District for the purposes set forth in the Petition should be created and established in that certain territory more particularly described in Exhibit A which Exhibit is set forth on pages 405 through 406 of these minutes and made a part of this resolution as fully as if set forth herein verbatim.

Motion was seconded by Commissioner Amos and the resolution was adopted upon a roll call vote as follows: AYES: Montgomery, Davis, Ragsdale, Sears, Amos. NOES: None.

Engineer's Description
January 9, 1963

BEGINNING at the northwest corner of the Sedgfield Sewer Line, Inc., property in the center line of Cumberland Road, and running thence with the center line of Cumberland Road in an easterly direction about 80 feet to the center line of Brunswick Road; thence with the center line of Brunswick Road in a northerly direction about 1,190 feet to the center line of Mecklenburg Road; thence with the center line of Mecklenburg Road in an easterly direction about 630 feet to the center line of Forsyth Drive; thence with the center line of Forsyth Drive in a northerly direction about 250 feet to a point opposite the dividing line between Lots 43 to 46, inclusive; thence with the dividing line between Lots 43 to 46, inclusive in a westerly direction about 325 feet to a point, said point being a corner between Lots 42 and 47; thence with part of the dividing line between Lots 46 and 47 in a southerly direction 50 feet to a point; thence with a new line and the dividing line between Lots 40, 41, 48, and 49 in a westerly direction about 420 feet to a point, said point being a corner between Lots 39, 40, 49, and 50; thence with the dividing line between Lots 39 and 40 in a northerly direction about 350 feet to the center line of Wallace Drive; thence with the center line of Wallace Drive in a westerly direction about 360 feet to the center line of Rowan Road; thence with the center line of Rowan Road in a southerly direction and then in a westerly direction about 1,520 feet to the center line of the Fourth Fairway; thence with the center line of the Fourth Fairway in a northerly direction about 510 feet; thence, continuing with the center line of the Fourth Fairway in a northerly direction about 500 feet to a point; thence with the dividing line between Lots 19 to 22, inclusive in a northwestwardly direction about 600 feet to the center line of Rockingham Road; thence with the center line of Rockingham Road in a northerly direction about 1,850 feet to the center line of Brookwood Drive; thence with the center line of Brookwood Drive in a westerly direction about 660 feet to the center line of Richmond Road; thence with the center line of Richmond Road in a southerly direction about 350 feet; thence with the dividing line between Lots 133 and 134 in a westerly direction about 250 feet; thence with the dividing line between Lots 132 and 133 in a northeastwardly direction about 400 feet to the center line of Brookwood Drive; thence with the center line of Brookwood Drive in a northwestwardly direction about 430 feet; thence with a property line of R. C. Boyce in a northeastwardly direction about 380 feet; thence continuing with a property line of R. C. Boyce in a northeastwardly direction about 500 feet to a point in the dividing line between Lots 122 and 123; thence with the dividing line between Lots 122 and 123 in a northerly direction about 150 feet to the center line of Wayne Road; thence with the center line of Wayne Road in an easterly direction about 180 feet; thence with the dividing line between Lots 123 and 124 in a southerly direction about 280 feet to the southwest corner of Lot 124; thence with the southern line of Lots 124 and 125 in an easterly direction about 320 feet to a corner between Lots 125 and 126; thence with the southern line of Lots 126 and 127 in an easterly direction about 392 feet to the southeast corner of Lot 127; thence continuing with Lot 127 in a northwestwardly direction about 150 feet; thence still continuing with Lot 127 in a northeastwardly direction about 125 feet to the center line of Wayne Road; thence with the center line of Wayne Road in a northwestwardly direction about 320 feet; thence with a property line of Dr. Bert Brannen in a northerly direction about 370 feet to the center line of High Point Road; thence with the center line of High Point Road in an easterly direction about 2,275 feet; thence with a property line of M. F. Massey in a southerly direction about 405 feet; thence continuing with a property line of M. F. Massey in a westerly direction about 140 feet; thence with a property line of Pilot Life Insurance Company in a southwestwardly direction about 460 feet to the center line of East Sedgfield Drive; thence with the center line of East Sedgfield Drive in a southerly direction and then in a southwestwardly direction about 1,030 feet to the center line of Wayne Road; thence with the center line of Wayne Road in an easterly direction about 370 feet; thence with a dividing line between John T. Manning and Sedgfield Hotel Corporation in a southerly direction about 370 feet; thence with part of a southern line of John T. Manning in an easterly direction about 430 feet; thence with a new line in a southerly

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direction about 550 feet to the corner between Lots 141 and 142; thence with the dividing line between Lots 141 and 142 and continuing in a southerly direction about 350 feet to the center line of Dorchester Road; thence with the centerline of Dorchester Road in an easterly direction about 140 feet to the center line of Cherokee Lane; thence with the center line of Cherokee Lane in a southerly direction about 730 feet to the center line of Mecklenburg Road; thence with the center line of Mecklenburg Road in a southwestwardly direction about 420 feet; thence with a westerly line of James Taylor in a southerly direction about 225 feet; thence with a southerly line of James Taylor in an easterly direction about 320 feet; thence with a southerly line of Dorothy Frank in a southeastwardly direction about 190 feet; thence with an easterly line of Dorothy Frank in a northerly direction about 410 feet to the southerly margin of Mecklenburg Road; thence crossing Mecklenburg Road in a northwestwardly direction about 50 feet to the northern margin of Mecklenburg Road; thence with the easterly lines of Lots 145 to 148, inclusive, in a northerly direction about 1,350 feet to the center line of Dorchester Road; thence with the center line of Dorchester Road in a northeastwardly direction about 260 feet to the center line of Alamance Road; thence with the center line of Alamance Road in a northerly direction about 1,590 feet to the R. C. Boyce property line; thence with the R. C. Boyce Property line in a northeastwardly direction about 350 feet to a point; thence, continuing with the R. C. Boyce property line, the following courses and distances: (northwestwardly about 230 feet; northeastwardly about 1,327 feet; southeastwardly about 510 feet; northeastwardly about 880 feet; northwestwardly about 618 feet to the center line of High Point Road; thence with the center line of High Point Road northwestwardly about 150 feet; southeastwardly about 460 feet; northeastwardly about 580 feet; northwestwardly about 100 feet; northeastwardly about 90 feet; southeastwardly about 580 feet; northeastwardly about 802 feet; southeastwardly about 80 feet; westwardly about 119 feet; southwardly about 250 feet; eastwardly about 500 feet to the Greensboro Corporate City Line; thence with the Greensboro Corporate City Line southwardly about 60 feet; westwardly about 100 feet; southwardly about 191 feet; westwardly about 100 feet; southwardly about 200 feet; eastwardly about 200 feet to the Greensboro Corporate City Line; with the Greensboro Corporate City Line southwardly about 400 feet; westwardly about 506 feet; southwardly about 800 feet; southwestwardly about 2,050 feet; southwardly about 1,947 feet to the center line of Wayne Road; thence, with the center line of Wayne Road, in a northwestwardly direction about 750 feet; thence in a southerly direction about 2,450 feet to a point; thence, with the back line of Lots 35A to 43A, inclusive, in a southwestwardly direction about 930 feet to a point; thence, with the back line of Lot 34A, in a westerly direction about 165 feet to a point; thence, with the back line of Lots 30A to 33A inclusive, in a northwestwardly direction about 680 feet to the center line of Cumberland Road; thence, with the center line of Cumberland Road, in a southwestwardly direction about 1,650 feet to the northeast corner of Sedgefield Sewer Line, Inc., property; thence, with the eastern boundary of Sedgefield Sewer Line, Inc., property in a southeastwardly direction about 970 feet to the southeast corner of Sedgefield Sewer Line, Inc., property; thence, with the southern boundary of Sedgefield Sewer Line, Inc., property in a westerly direction about 420 feet to the southwest corner of Sedgefield Sewer Line, Inc., property; thence, with the western boundary of Sedgefield Sewer Line, Inc., property in a northerly direction about 910 feet to the Beginning. Containing 551 acres, more or less.