

INVOLUNTARY ANNEXATION

At a meeting earlier this year, Commissioners asked that a resolution be adopted stating their views on involuntary annexation. County Clerk, Kerri Melton, prepared a draft resolution for review by Commissioners. Commissioners shared their comments. Commissioner Hawkins voiced his opinion stating that he believes services should be provided before an area can be annexed. He also believes that residents along newly constructed utility lines should not be required to tap on. Commissioner Hutchins believes that a vote shall be taken and a majority of those residents in the proposed annexation area be in agreement with the annexation before the area can be annexed. He also stated that, residents should not be expected to pay for the cost of running utility lines in newly annexed areas.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, ***to adopt the following resolution:***

NUMBER 14-2010

RESOLUTION SUPPORTING LEGISLATION MODERNIZING ANNEXATION LAWS

- ***WHEREAS***, Cleveland County fully supports NCACC's Intergovernmental Relations goal regarding modernization of annexation laws; and
- ***WHEREAS***, the North Carolina General Statutes allow municipalities to annex properties meeting statutory standards without involvement of the affected property owners or the affected County; and
- ***WHEREAS***, residents under consideration for involuntary annexation are not allowed to vote on this issue nor do they have representation on the governing body making the final decision; and
- ***WHEREAS***, residents affected by involuntary annexation have no appeal process short of pursuing legal action through the court system; and
- ***WHEREAS***, Cleveland County strongly supports residents right to vote whether or not their property will be annexed; and
- ***WHEREAS***, Cleveland County supports requiring a direct provision of municipal water and sewer services to newly annexed areas; and

NOW, THEREFORE, BE IT RESOLVED, THAT, the Cleveland County Board of Commissioners expresses strong opposition to the current state laws allowing involuntary annexation, supports the requirement of a majority vote of residents in the proposed annexation area, supports no taxation of annexation area until services are provided and fully supports NCACC's efforts to modernize these annexation laws.

ADOPTED THIS 15th DAY OF JUNE, 2010.