

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 943
HOUSE BILL 1677

AN ACT TO REVISE THE CHARTER OF THE CITY OF CLINTON AND
ESTABLISH THE CLINTON-SAMPSON AGRI-CIVIC CENTER COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Clinton is rewritten to read:

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1-1. INCORPORATION AND CORPORATE POWERS. The inhabitants of the City of Clinton are a body corporate and politic under the name of the "City of Clinton". Under that name they have all the powers, duties, rights, privileges and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2-1. CITY BOUNDARIES. The boundaries of the City of Clinton are set out on a map entitled 'Boundary Map of the City of Clinton, North Carolina.' The map is maintained in the office of the City Clerk, as required by G.S. 160A-22.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3-1. STRUCTURE OF GOVERNING BODY; NUMBER OF MEMBERS. The governing body of the City of Clinton is the City Council, which has four members, and the Mayor.

"Sec. 3-2. MANNER OF ELECTION OF COUNCIL. The qualified voters of the entire City elect the members of the City Council.

"Sec. 3-3. TERM OF OFFICE OF MEMBERS OF THE CITY COUNCIL.

Members of the City Council are elected to four year terms. Any present members of the City Council serving under the Charter of the City of Clinton which has been superceded by this Charter shall continue to serve until the expiration of their present terms. Two members of the City Council shall be elected in 1987 for the two seats on the City Council the terms of which expire in 1987, and two members of the City Council shall be elected in 1989 for the two seats on the City Council the terms of which expire in 1989.

"Sec. 3-4. ELECTION OF MAYOR; TERM OF OFFICE. The qualified voters of the entire city shall elect the Mayor. He is elected to a two-year term of office.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4-1. CONDUCT OF CITY ELECTIONS. City Officers shall be elected on a non-partisan basis, and the results determined by plurality as provided by G.S. 163-294.

"CHAPTER V.

"ADMINISTRATION.

"Sec. 5-1. CITY TO OPERATE UNDER COUNCIL-MANAGER PLAN. The City of Clinton shall operate under the Council-Manager Plan as provided in G.S. 160A, Article 7, Part 2."

Sec. 2. (a) There is hereby created a commission to be known as the Clinton-Sampson Agri-Civic Center Commission, which shall consist of seven members, two appointed by the Board of Commissioners of Sampson County, two appointed by the City Council of the City of Clinton, and three appointed by the board of directors of Clinton Chamber of Commerce and Merchants Bureau, Inc. One of the members appointed by each of the governing bodies and one appointed by the Clinton Chamber of Commerce and Merchants Bureau, Inc., initially shall serve a term of two years, and the other appointees shall serve a term of four years, and thereafter the members upon their appointments or reappointments shall each serve a term of four years. Initial terms of office shall begin August 1, 1986.

(b) The sole function and purpose of the commission and its power shall be to maintain and operate the facility composed of the real estate and improvements thereon located between Warsaw Road and Railroad Street in the City of Clinton, which real estate is more particularly described in the Option on Real Estate to the City of Clinton and Sampson County recorded, respectively, in Book 1027 at Page 601, of the Sampson County Registry. Notwithstanding Article 12 of Chapter 160A of the General Statutes, the commission may allow Clinton Chamber of Commerce and Merchants Bureau, Inc., to occupy offices in said facilities with or without monetary consideration as the commission shall from time to time determine, but the right to the use and occupancy of part of the premises by Clinton Chamber of Commerce and Merchants Bureau, Inc., may be restricted or terminated as said commission shall see fit, whether now or in the future.

(c) Notwithstanding G.S. 160A-272, by private lease, the City of Clinton and Sampson County may lease the real estate and improvements thereon to the commission for a term not exceeding twenty years without regard to whether said property be deemed "surplus property" and for such consideration as the said city and county shall deem appropriate, including no consideration, upon such terms and conditions as the city and county shall deem appropriate. The commission's power, authority and duties shall consist of maintaining and operating said real estate and improvements as a center for agricultural, business, cultural, community and other kinds of expositions and meetings of individuals, groups or organizations, and said commission shall from time to time establish policies for the use of said facilities, the rentals to be paid for the use of them and all other matters incident to the use of said facilities by individuals, groups or organizations, and to pay from the revenues realized from the rental of the facility to various groups and organizations the costs of preservation, improvement, administration, including employee compensation, of the premises and all other costs incident to the preservation and use of the facility including, but not limited to the cost

of insurance premiums, ordinary maintenance and capital improvements, subject to the limitations, if any, imposed upon the commission by the lease from said city and county.

(d) No profits realized by the commission from the operation of said facility shall be used for any purpose other than maintenance, improvement and operation of the facility.

(e) The city and the county may distribute funds to the commission for the further improvement or the maintenance of the facility although neither shall be required to do so.

(f) The commission is not a public authority under Chapter 159 of the General Statutes.

(g) The commission is a governmental unit for the purpose of G.S. 160A-274.
Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of July, 1986.