

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 555
HOUSE BILL 708

AN ACT TO PROVIDE FOR AN ELECTION IN THE COMMUNITY OF WANCHESE ON THE QUESTION OF CREATING THE WANCHESE COMMUNITY CENTER DISTRICT AND FOR THE LEVY AND COLLECTION OF AN AD VALOREM TAX FOR REPAIR, MAINTENANCE, OPERATION, ETC. OF A COMMUNITY CENTER BUILDING.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Dare County is hereby authorized and directed to call an election in that area of Dare County known as the Wanchese Community and specifically described in this Act, for the purpose of submitting to the voters therein the single issue of establishing the Wanchese Community Center District in said area and levying and collecting annually a special ad valorem tax on all taxable real and personal property in the proposed district for the purpose of maintaining and operating the Wanchese Community Center, as set forth in Section 5 of this Act. The tax levied and collected for the purpose herein specified shall not exceed five cents (5¢) on each one hundred dollar (\$100.00) valuation of the property. The area in Dare County to be included in the proposed Wanchese Community Center District, and to which this Act applies and in which said election is to be held, is more specifically described as follows:

"Beginning at iron pipe or other marker situated in and marking the southeast corner of the lands of W. Benton Pipkin and C. Thurston Woodford, formerly known as the Hayes Tract, on the shore of Broad Creek on the South end of Roanoke Island, running thence from the beginning point along the dividing line between the aforesaid Pipkin and Woodford and Paul Midgett South 79 degrees 45 minutes West 7220 feet across Roanoke Island to Croaton Sound, and including all that portion of Roanoke Island lying South of the line so created."

Sec. 2. For the election called as provided in Section 1 of this Act, the Board of Elections of Dare County shall provide one or more polling places in said district, shall provide for a registrar or registrars and judges of the election at said voting places, shall provide for the registration of all qualified voters living in said district, shall cause to be prepared the necessary ballots for voting at said election, shall fix the time and places for the holding of the same, and shall conduct said election in every other respect according to the provisions of the laws governing general elections so far as they may be applicable. The Board of Elections of Dare County shall determine and declare the results of the election and the election shall be held without expense to the county.

Sec. 3. At said election, those voters who are in favor of establishing the Wanchese Community Center District and levying a tax in said district for the operation, maintenance and repair of a community center, as provided by this Act, shall vote a ballot on which shall be written or printed: "FOR creation of the Wanchese Community Center District and tax for operation of a Community Center." Those voters who are against establishing the Wanchese Community Center District and levying a tax in said district for the operation, maintenance and repair of a community center, as provided by this Act, shall vote a ballot on which shall be written or printed: "AGAINST creation of the Wanchese Community Center District and tax for operation of a Community Center."

Sec. 4. If a majority of the qualified voters voting at said election shall vote in favor of creating the Wanchese Community Center District and levying a tax for operation, maintenance and repair of a community center building, as provided by this Act, the Board of Commissioners of Dare County shall adopt a resolution creating the Wanchese Community Center District, and shall file a copy of the resolution so adopted with the Clerk of the Superior Court of Dare County. Upon creation and establishment of the Wanchese Community Center district, the Board of Commissioners of Dare County is authorized and directed to levy and collect a tax in said district in such manner as it may deem necessary, not exceeding five cents (5¢) on each one hundred dollars (\$100.00) valuation of property in said district from year to year, and shall cause the same to be kept in a separate and special fund, to be used only for the maintenance, operation and repair of a community center within said district, as provided by Section 5 of this Act.

Sec. 5. The Wanchese Community Center District shall constitute a political subdivision of the State of North Carolina, shall be a body corporate and public, exercising public power. The Wanchese Community Center District is authorized and empowered to establish, operate and maintain the community center for the use and benefit of all residents of the district by providing a polling place for general and special elections; providing suitable facilities for public meetings; providing recreational park and playground facilities; providing facilities for meetings of civic and fraternal organizations; and providing facilities for the general use of residents of the district in all matters related to improvement of the general health and welfare, and all matters of community interest. The district and its governing body shall have the following powers:

(1) To acquire and hold title to the Wanchese Community Center building, and any other real or personal property which may be acquired by the Wanchese Community Center District by purchase, gift, donation, contribution, or otherwise.

(2) To sell, convey, and dispose of any real or personal property owned by the Wanchese Community Center District.

(3) To erect, repair, construct, replace, and alter buildings owned by the Wanchese Community Center District, and to improve, manage, maintain, and control all real and personal property owned by the community center district or under its supervision and control.

(4) To employ such officers, agents, consultants and other employees as it may desire, and to determine their qualifications, duties and compensation.

(5) To expend funds collected by the special tax provided by this Act, and any and all other funds coming into their hands by gift, donation, contribution, or otherwise, for the operation and maintenance of the Wanchese Community Center.

(6) To do any and all other acts reasonably necessary to the operation and maintenance of the Wanchese Community Center in accordance with the provisions of this Act.

Sec. 6. Upon creation and establishment of the Wanchese Community Center District, the following five (5) residents are hereby appointed to serve as the Board of Trustees of the Wanchese Community Center District for the terms indicated and they shall be the governing body of said district: J. W. Davis, for a term of three (3) years; George A. Daniels, for a term of three (3) years; Rondall Tillett, for a term of two (2) years; Betty Etheridge, for a term of two (2) years; and Abe Sobel, for a term of two (2) years. Successor members of the board of trustees shall be appointed by the board of county commissioners and shall hold office for the same term as the person they replace. All vacancies that occur, whether by death, resignation, or otherwise, shall be filled by appointment by the board of commissioners. Each appointee shall qualify by taking an appropriate oath to well and truly execute the duties of his office according to the best of his skill and ability, according to law. The members of the board of trustees are authorized to select a chairman. A simple majority of the governing board shall constitute a quorum for the purpose of transacting business of the board of trustees, and approval by a majority of those present shall be adequate for determination of any matter before the governing board, provided at least a quorum is present. Regular annual meetings of the board of trustees shall be held, and a meeting may be called at any time by the chairman or by any two members. Any member or members of the board of trustees may for cause be removed by the Board of Commissioners of Dare County.

Sec. 7. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 8. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 30th day of May, 1961.