



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Board Appointments**

Board Meeting Date: **May 28, 2024**

Prepared By: **Alissa Fender – Town Clerk**

Overview: Due to expiration of terms, and a vacancy. There are appointments or reappointments needed for the Board of Adjustment.

A list of expirations is provided as well as those members who seek re-appointment and a Talent Bank Sheet with those citizens with an interest in serving.

Board of Adjustment

There are five (5) seats to consider for appointment/reappointment. 3 in-town seats and 2 ETJ seats. One of the ETJ seats is vacant.

Elaine Justice – Term expires 06/2024, has interest in reappointment

Thomas Pieratti – Term expires 06/2024, has interest in reappointment

John Fitzgerald – Term expires 06/2024, has interest in reappointment

Tom Cariker (ETJ) – Term expires 06/2024, has interest in reappointment

1 ETJ Vacancy – Term expires 06/2026

There are two (2) applications on file for in-town seats and zero (0) for ETJ.

Background Attachment(s):

NCGS 128-1.1

Talent Bank Sheet

Recommended Action: Consider appointments or re-appointments to the Board of Adjustment

Action: _____

§ 128-1.1. Dual-office holding allowed.

(a) Any person who holds an appointive office, place of trust or profit in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution, to hold concurrently one other appointive office, place of trust or profit, or an elective office in either State or local government.

(b) Any person who holds an elective office in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution to hold concurrently one other appointive office, place of trust or profit, in either State or local government.

(c) Any person who holds an office or position in the federal postal system or is commissioned as a special officer or deputy special officer of the United States Bureau of Indian Affairs is hereby authorized to hold concurrently therewith one position in State or local government.

(c1) Where authorized by federal law, any State or local law enforcement agency may authorize its law enforcement officers to also perform the functions of an officer under 8 U.S.C. § 1357(g) if the agency has a Memorandum of Agreement or Memorandum of Understanding for that purpose with a federal agency. State and local law enforcement officers authorized under this provision are authorized to hold any office or position with the applicable federal agency required to perform the described functions.

(c2) Repealed by Session Laws 2015-201, s. 3(b), effective August 5, 2015.

(d) The term "elective office," as used herein, shall mean any office filled by election by the people when the election is conducted by a county board of elections under the supervision of the State Board of Elections. (1971, c. 697, s. 2; 1975, c. 174; 1987, c. 427, s. 10; 2006-259, s. 24(a); 2011-31, s. 13; 2014-100, s. 14.11(b); 2015-201, s. 3(b); 2015-241, s. 14.30(u); 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 6.1.)