



Town of Archer Lodge

AGENDA

Work Session Meeting

Monday, September 22, 2025 @ 6:30 PM

Jeffrey D. Barnes Council Chambers

Page

1. WELCOME/CALL TO ORDER:

- 1.a. Invocation
- 1.b. Pledge of Allegiance

2. NEW BUSINESS:

- 2 - 7 2.a. Discussion on the Town Administrator Search Process
[Town Administrator Search Process Original Schedule](#)
[Town Administrator Search Process Fast Schedule](#)
- 8 - 13 2.b. Review of Potential Animal Control Ordinance
[Patrick Kostka Feedback email on Animal Control Ordinance Amendment](#)
[Animal Control Ordinance with Proposed Additions](#)

3. ADJOURNMENT:

Town Administrator Search – Potential Schedule

Town of Archer Lodge

Phase One

September 18, 2025

CPRC will send prep materials to the Board for the September 22, 2025 Meeting

- Potential Candidate Profile
- Salary and Benefit Guide
- Proposed Schedule
- Send the Sample Advertisement (Benson) and any previous Archer Lodge Advertisement
- Suggested Advertisement location and costs
- Draft Employment Agreement
- Background options (background checks, etc.)

September 22, 2025 Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Agreement on Candidate Profile
- Agreement on Salary and Benefits
- Agreement on Proposed Schedule
- Agreement on how to proceed with the background check
- Agreement on who will make the offer and who will be involved in the employment agreement negotiation
- Direction on job advertisement and where to advertise/associated costs
- Direction on how the first interview process will be conducted (time, questions, etc)
- What will Archer Lodge pay for during the first interview (hotel, travel, etc)

October 1, 2025

CPRC will send prep material to the Board for the October 6, 2025 Meeting

- Draft Job Advertisement Materials
- Draft Candidate Evaluation Matrix

October 6, 2025 Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Approval of Job Advertisement Materials
- Approval of Evaluation Matrix

October 8, 2025

CPRC will reiterate decisions and next steps by email, as well as any outstanding items to the Board.

October 20, 2025 Board Meeting ONLY IF NEEDED

- Approval of any remaining items

Phase Two**October 24, 2025**

Advertise position

- Advertise position on the CPRC Website, the Town of Archer Lodge Website, through an email campaign to state managers and assistant managers, the NCLM website, the ICMA website, and neighboring state municipal association (VA, SC, TN) websites. Additional advertisement locations to be determined during the September 22 and October 6 meetings.

November 24, 2025

CPRC will complete an initial review of candidates and send detailed candidate information and analysis to the Board for review before the December 1 meeting

December 1, 2025 Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Review Candidates
- Select up to five (5) candidates for the first round interview
- Finalize first-round candidate questions and rating system

December 15, 2025

CPRC staff will coordinate with candidates to schedule and finalize first-round interview logistics.

Phase Three

January, 2026

The Board will conduct First-Round Candidate Interviews

- Interview up to five candidates
- Determine the top two candidates
- Finalize second round candidate questions and rating system

January, 2026

CPRC staff will coordinate with candidates regarding the second-round logistics

January, 2026

The Board will conduct Second-Round Candidate Interviews

- Interview up to two (2) candidates over one day
- Select preferred candidate
- Set negotiation parameters for the town official making an offer call to the candidate

Phase Four

January, 2026

Candidate Negotiations

- Town official will call the candidate and make a conditional offer, and begin negotiations
- CPRC will conduct a background check/activities

February 2, 2026 Board Meeting

- Council votes on Town Administrator candidate and employment agreement
- CPRC provides assistance with a press release to announce the new administrator

Town Administrator Search – Potential Schedule

Town of Archer Lodge – Faster Schedule

Phase One

September 18, 2025

CPRC will send prep materials to the Board for the September 22, 2025 Meeting

- Potential Candidate Profile
- Salary and Benefit Guide
- Proposed Schedule
- Send the Sample Advertisement (Benson) and any previous Archer Lodge Advertisement
- Suggested Advertisement location and costs
- Draft Employment Agreement
- Background options (background checks, etc.)

September 22, 2025 Regular Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Agreement on Candidate Profile
- Agreement on Salary and Benefits
- Agreement on Proposed Schedule
- Agreement on how to proceed with the background check
- Agreement on who will make the offer and who will be involved in the employment agreement negotiation
- Direction on job advertisement and where to advertise/associated costs
- Direction on how the first interview process will be conducted (time, questions, etc)
- What will Archer Lodge pay for during the first interview (hotel, travel, etc)

September 26, 2025

CPRC will send prep material to the Board for the September 30, 2025 Meeting

- Draft Job Advertisement Materials
- Draft Candidate Evaluation Matrix

September 30, 2025 Special Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Approval of Job Advertisement Materials
- Approval of Evaluation Matrix

October 1, 2025

CPRC will reiterate decisions and next steps by email, as well as any outstanding items to the Board.

Phase Two**October 1, 2025**

Advertise position

- Advertise position on the CPRC Website, the Town of Archer Lodge Website, through an email campaign to state managers and assistant managers, the NCLM website, the ICMA website, and neighboring state municipal association (VA, SC, TN) websites. Additional advertisement locations to be determined during the September 22 meeting.

October 17, 2025

CPRC will complete an initial review of candidates and send detailed candidate information and analysis to the Board for review before the October 20 meeting

October 20, 2025 Board Meeting

CPRC will work with the Board to achieve the following outcomes during the meeting:

- Review Candidates
- Select up to five (5) candidates for the first round interview
- Finalize first-round candidate questions and rating system

October 21, 2025

CPRC staff will coordinate with candidates to schedule and finalize first-round interview logistics.

Phase Three

October 30, 2025 Special Board Meeting

The Board will conduct First-Round Candidate Interviews

- Interview up to five candidates
- Determine the top two candidates
- Finalize second round candidate questions and rating system

October 31, 2025

CPRC staff will coordinate with candidates regarding the second-round logistics

November 12, 2025 Special Board Meeting

The Board will conduct Second-Round Candidate Interviews

- Interview up to two (2) candidates over one day
- Select preferred candidate
- Set negotiation parameters for the town official making an offer call to the candidate

Phase Four

November 13 - 23, 2025

Candidate Negotiations

- Town official will call the candidate and make a conditional offer, and begin negotiations
- CPRC will conduct a background check/activities

November 24, 2025 Special Board Meeting

- Council votes on Town Administrator candidate and employment agreement
- CPRC provides assistance with a press release to announce the new administrator



RE: AL Ordinance Update - Dangerous Dogs

From Patrick Kostka <pkostka@townofclaytonnc.org>

Date Thu 8/21/2025 10:51 AM

To Jason Kress <jason.kress@archerlodgenc.gov>; John LeQuire <jlequire@townofclaytonnc.org>

Be Advised: This email originated from outside of the Town of Archer Lodge, NC

You will definitely need to tweak it. If you want to keep the "Chief of Police" type position in that ordinance, then the most appropriate person to take the position would be Bryan's position. However, the appellate board, which is the second stage of the appeal process in that ordinance, would consist of the Town Manager (Bryan), the assistant/Deputy Town Manager (Kim), and a citizen, who will likely be pulled from the Town Council. So there would be a conflict of interest by having Bryan participate in both of the first two stages of the appeal, which would almost guarantee that any appeal made to the third stage of the appeal, which is superior court, would be granted.

State statute 67-4.1(c) states that there needs to be a person or board that determines if a dog is dangerous or potentially dangerous. The way you've got the ordinance written now, that person is me, and I think that should remain the same. The statute does not require the involvement of the Chief of Police in an appeal, only an appellate board, not defined in its composition, which must be separate from the person or board (in this case, me) making the initial determination against the dog. It also says that the dog owner must make a written appeal within 3 days of the determination being delivered to them in writing, and the appellate board must schedule a hearing within 10 days of the written appeal being made.

There are a couple of options to that come to my mind to tweak this.

1. The position of Chief is altered to reflect Bryan's position, and the appellate board is designated to the Town Council. This would grant 2 stages of appeal, and places the second stage on elected officials, who are appointed by the People. Having multiple stages of appeal prior to potentially arriving in superior court works in the favor of the Town. The only real snag to this plan is if the council does not meet every week or cannot be summoned to attend a dangerous dog appellate meeting in order to be compliant with the statute's requirement of scheduling the appellate board meeting within 10 days of a written appeal being received.
2. The position of Chief is altered to reflect the position of someone under Bryan's position, such as Marcus. I recommend the Town Attorney because a background in law when making determinations of these appeals will also work favorably in the event the matter reaches superior court. The ordinance does not require a hearing with the "Chief," so Marcus (or whoever) does not have to actually meet with the dog owner to make their own determination. After that, the appellate board is designated as who you have in the ordinance, which would be Brian, Kim and a third party. This reduces reliance on the schedule of the Council, while keeping the appeals process at 2 stages, and still keeps the matter "in house."
3. The position of Chief is removed, and the appellate board is designated as what you have written. This reduces the stages of appeal to 1, but is much less reliant on the schedules of the Council and keeps the scheduling in house.

Hope this helps,

ARTICLE II. DOGS, CATS AND OTHER ANIMALS

Sec. 6-27. Running at large.

- (a) It shall be unlawful for a dog owner to permit his dog to run at large. A dog owner must keep a dog owned, controlled, sheltered, or harbored by him on his property, or else the dog must be accompanied by a person who has the dog firmly restrained.
- (b) A dog owner may utilize an electric underground fence to confine his dog within the real property limits of the dog owner provided, however, that:
 - (1) The electric underground fence utilized by the dog owner is approved for purposes of confining a dog by Underwriters Laboratory or any other testing laboratory approved by the state;
 - (2) The dog owner clearly displays a sign at least seven inches in width and nine inches in height that warns the public that the dog owner is utilizing an electric underground fence to restrain a dog;
 - (3) The failure of an electric underground fence to confine a dog within the real property limits of the dog owner shall constitute a violation of this section; and
 - (4) An electric underground fence may not be used to confine or control an aggressive dog and any attempt to do so shall constitute a violation of this section.

(Ord. No. AL2015-06-01, § 91.20, 6-8-2015)

Sec. 6-28. Keeping stray animals.

- (a) It shall be unlawful for any person in the town knowingly and intentionally to harbor, feed, or keep in possession, by confinement or otherwise, any animal which does not belong to him, unless he has, within 24 hours from the time the animal came into his possession, notified the animal control officer. Upon receiving this notice, the animal control officer shall take such dog and place it in the animal shelter and shall deal with it as provided in section 6-57.
- (b) It shall be unlawful for any person to refuse to surrender any stray animal to the animal control officer upon demand.

(Ord. No. AL2015-06-01, § 91.21, 6-8-2015)

Sec. 6-29. Confinement of female animals in heat.

Every female animal, while in heat, shall be confined in a building or secure enclosure in such manner that it will not be in contact with another animal, nor create a nuisance by attracting other animals. This section shall not be construed to prohibit the intentional breeding of animals within an enclosed area on the premises of the owner of an animal being bred.

(Ord. No. AL2015-06-01, § 91.23, 6-8-2015)

Sec. 6-30. Barking dog.

It shall be unlawful for any dog owner to keep or have within the town a dog that habitually or repeatedly barks in such manner or to such extent that it is a public nuisance, as defined in section 6-1.

(Ord. No. AL2015-06-01, § 91.24, 6-8-2015)

Sec. 6-31. Humane shelter and adequate care required.

The owners of animals shall provide humane shelter from heat, cold, rain, wind, and snow, and shall provide food and water. All animals must be given opportunity for vigorous daily exercise. All animals must be provided by their owners with veterinary care when needed to prevent suffering.

- (1) *Food.* The food shall be wholesome, palatable, and free from contamination. Food shall be of sufficient quantity and nutritive value to maintain all animals in good health. The diet shall be prepared with consideration for the age, species, condition, size, and type of animal. Animals shall be fed at least once a day except as directed by hibernation, normal fast, or veterinary treatment.
- (2) *Water.* Fresh, clean water should be provided at all times in adequate amounts. Owners should take into consideration the age and size of the animal or animals and the temperature, to ensure the uses of a large enough container. An exception would be if a veterinarian ordered a temporary fast for medical reasons. All water receptacles shall be kept clean and sanitary, within easy reach of a restrained animal and stabilized in a manner that cannot be overturned. During summer months, water containers should be kept in a shaded area to maintain a drinkable temperature.
- (3) *Outdoor storage.* Every person having custody of domestic animals which are kept outdoors or in an unheated enclosure shall provide such an animal or animals with the following minimum standards of shelter:
 - a. The shelter for a dog or any species of similar size shall include a moisture proof and wind-proof structure of suitable size to accommodate the animal and allow retention of body heat and shall be made of durable material.
 - b. Such structures shall be provided with a sufficient quantity of suitable bedding material, consisting of hay, straw, cedar shavings or the equivalent, to provide insulation and protection against cold and dampness and promote retention of body heat.
 - c. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.
- (4) *Space requirements.* Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement to maintain physical conditioning. The animal should be able to sit, stand, turn, and lie without obstruction. Adequate space for food and water containers must be provided. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavioral patterns. Animals shall not be tied, chained, fastened, or otherwise tethered to any stationary or inanimate object as a means of confinement or restraint to property, but must be in an approved enclosure.
- (5) *Sanitation.* Both indoor and outdoor enclosures shall receive periodic cleanings to remove excreta and other waste material, dirt and trash so as to minimize disease, hazards and to reduce odors. These periodic cleanings shall not exceed a five-day period. If, however, more than one animal is held in one enclosure, these cleanings shall not exceed two days.

(Ord. No. AL2015-06-01, § 91.26, 6-8-2015)

Sec. 6-32. Poisoning, maiming, or abandoning dogs prohibited.

No person shall poison or maim an animal, nor may an animal be abandoned.

(Ord. No. AL2015-06-01, § 91.27, 6-8-2015)

Sec. 6-33. Animal bites.

- (a) Any dog, cat or other animal which bites a person shall be immediately quarantined at a place and in a manner determined by the animal control officer for the purpose of determining whether the animal has been infected with the rabies virus. If it is determined that the animal has the rabies virus, it shall be destroyed in a humane manner. If it is determined that the animal does not have the rabies virus, the animal may be returned to the owner until the animal has received an inoculation for the rabies virus. If the animal is returned to the owner, it shall be returned subject to the provisions in subsection (b) of this section.
- (b) All fierce, dangerous or vicious animals, including dogs and cats which have a history of unlawful biting of humans, shall be confined by the owner within a building or secure enclosure or by the animal control officer in the animal shelter. Such animals shall not be released from confinement unless securely muzzled.

(Ord. No. AL2015-06-01, § 91.28, 6-8-2015)

Sec. 6-34. Animal owner responsibility.

The owner or custodian of any dog or cat shall be responsible for repairing damage caused by said dog or cat, including the cleaning up of dog or cat dropping, deposited on any sidewalk, street, walkway or park in the town. In addition, the owner or custodian of any dog or cat shall prevent said dog from trespassing on private property and shall not allow said dog or cat to deposit droppings or otherwise damage private property without permission. Dog and cat owners shall be responsible for clean-up or repair to private property due to droppings or damage caused by trespassing dogs.

(Ord. No. AL2015-06-01, § 91.29, 6-8-2015)

Sec. 6-35. Dangerous Dogs.

The Animal Control Officer is designated as the person to be responsible for determining that a dog is a "dangerous dog" or a "potentially dangerous dog" as defined in G.S. § 67-4.1. Any appeal of that determination may be taken first to the Chief of Police and then to an appellate board, pursuant to G.S. § 67-4.1(c), consisting of the Town Manager, a Deputy Town Manager and a citizen of the town who shall be designated by the Mayor. When a dog is declared to be potentially dangerous or dangerous, in addition to any requirements of state law, the owner must adhere to the following:

(A) Any dog that has been declared to be potentially dangerous under G.S. § 67-4.1(a)(2) or dangerous under G.S. § 67-4.1(a)(1)a.2. or b. shall be required to comply with all of the following:

(1) *Permanent identification mark required.* Permanent identification by means of a tattoo located on the inside thigh or by electronic implant. The cost of said tattoo/implant will be paid for by the owner. The Animal Control Officer will maintain a physical description and photograph of the dog. The owner must allow and assist the Animal Control Officer in viewing the tattoo or reading the electronic implant at such times as deemed reasonable or at such time as the identification of the dog is in question.

(2) *Signage.* A "Beware of Dog" sign shall be placed at the residence of the dog in plain view of the public. Said signs will be placed in such a manner and of such size and clarity as to be visible from the common entrance(s) to the property, specifically but not limited to the driveway. The owner must also place a "Beware of Dog" sign on the dog's pen. The owner has 20 days from the declaration of the dog as a potentially dangerous or dangerous dog to comply.

(3) *Sterilization.* The owner shall have the dog spayed or neutered by a veterinarian licensed to practice in the state within 20 days of the declaration. All fees and costs are the responsibility of the owner and must be paid in full to the satisfaction of the veterinarian prior to release.

(4) *A secure pen.* The dog will be kept in a secure enclosure that is constructed of materials strong enough to contain the dog. The owner must comply within 20 days and must construct any outdoor enclosure consistently with the following:

(a) The enclosure shall be large enough for the dog (depending on the size of the dog) to move around freely. It shall provide the dog with adequate shelter and adequate shade.

(b) The enclosure must have a floor, sides and a top from which the dog cannot escape.

(c) The enclosure shall be constructed of a six-foot-high fence at least nine-gauge chain link. The enclosure will also have a fence or solid top constructed of the same material.

(d) The structure must be constructed so that the dog may not dig under the sides. If the floor is constructed of dirt, the enclosure must include an eight-foot fence with two feet buried in the ground or sunken into a concrete pad which is 24 inches wide along the inside perimeter of the fence and four inches thick.

(5) *Inspection.* The Animal Control Officer may cause such inspections as deemed appropriate to be made of the premises of an owner of a dog subject to the provisions of this section.

(6) *Off owner's premises.* Anytime the animal is off the owner's premises, the dog will be on a secure collar and leash not to exceed six feet, wearing a muzzle and restrained by a competent person.

(7) *Relocation.* An owner of a dog subject to this section must notify the Animal Control Officer at least three working days prior to moving the dog to a new address and give the Animal Control Officer the new address or location of the dog.

(8) *Notification of death.* The owner of a dog subject to this section must notify the Animal Control Officer within ten days after the dog dies.

(9) *Payment of annual registration fee.* The owner shall pay annually a registration fee for each dog subject to this section in an amount of \$100.

(10) *Possession.* No dog subject to this section may be given away, sold, traded, placed for adoption, or otherwise transferred. The owner must retain ownership, possession, and responsibility for the dog until the dog dies or is surrendered to the Animal Control Officer for euthanasia.

(11) *Bites or attacks.* If a dog that is subject to this section subsequently bites or attacks a person, the dog will be surrendered or seized for euthanasia and the owner will be cited for the violation.

(B) Any dog that has been declared to be dangerous under G.S. § 67-4.1(a)(1)a.1. shall be required to be surrendered or seized for euthanasia and the owner will be cited for the violation.

(C) *Violation.* Any violation of the terms of ownership of a "dangerous" or "potentially dangerous" dog will result in a citation and civil penalty, of \$500 per offense. The dog will be impounded and held until the violation is remedied, except as provided in division (A)(11) and (B) above, and all fees, fines and penalties are paid in full. If the owner is found in violation of this section more than once, the animal, if applicable, may be required to be surrendered or seized for euthanasia.

(Ord. AL2025-08-21, passed xxxx-xx-xx)

Statutory reference:

Dangerous dogs, see G.S. §§ 67-4.1, 67-4.2, 67-4.3, 67-4.4, 67-4.5

Secs. 6-36—6-56. Reserved.