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Time Posted: \_\_\_\_\_  
Posted By: Evelyn Baker  
Witnessed By: \_\_\_\_\_

**MINUTES OF THE ORGANIZATIONAL MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
DECEMBER 1, 2008**

The Jackson County Board of Commissioners met in an Organizational Meeting on Monday, December 1, 2008 at 5:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman  
Joe Cowan, Commissioner  
Mark Jones, Commissioner  
Tom Massie, Commissioner

Kenneth L. Westmoreland, Co. Mgr  
Evelyn B. Baker, Clerk to Board  
W. Paul Holt, Jr., County Attorney

Absent: William Shelton, Commissioner

Chairman McMahan called the meeting to order.

The Honorable Bradley B. Letts, District Court Judge, performed the swearing in ceremony for the newly elected Commissioners Joe Cowan and Mark Jones.

(1) **VICE CHAIR**: Commissioner Cowan moved to appoint Tom Massie as Vice Chair. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(2) **COUNTY ATTORNEY**: Commissioner Jones moved to appoint W. Paul Holt, Jr. as county attorney. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(3) **CLERK TO BOARD**: Commissioner Cowan moved to appoint Evelyn B. Baker as clerk to board. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(4) **RULES OF PROCEDURE**: Chairman McMahan recommended that the *Suggested Rules and Procedures, Third Edition*, by Joseph S. Ferrell and issued by the Institute of Government be adopted with the understanding that the Board may deviate from those rules if it chooses to do so. He called specific attention to the following:

(a) **Rule 15, Second Not Required**. He recommended that all Motions require a second.

(b) **Rule 23, Duty to Vote**. "A member who fails to vote, not having been excused, shall be recorded as voting in the {affirmative} {negative}". He recommended that failure to vote be recorded as an affirmative vote. Further, he recommended an exception to Rule 23 so that a Commissioner may request and be granted permission not to vote, or abstain, because of a conflict of interest.

(c) Rule 9, Agenda. He recommended that all agenda requests be submitted to the Clerk or County Manager one week prior to each regular meeting.

Commissioner Massie moved to adopt the Rules of Procedure with the stated recommendations and exceptions. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(5) CONSENT AGENDA**: Chairman McMahan explained that a consent agenda is a mechanism to expedite consideration of routine and non-controversial agenda items, i.e., monthly finance and tax collector's reports, budget amendments, etc.; however, any item can be removed by request of a Commissioner and placed on the regular discussion Agenda. Commissioner Cowan moved to adopt a consent agenda as a part of the Board's rules and procedures. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

**(6) MEETING DAYS**: Commissioner Massie moved that regular meetings remain scheduled on the first and third Mondays at 6:00 p.m. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(7) APPOINTMENTS TO BOARDS AND COMMISSIONS**: Chairman McMahan stated Commissioners are required by state statute to serve on various boards and commissions. Commissioners Cowan and Jones consented to serve as follows:

Aging Council: Commissioner Jones

Emergency Food & Shelter Board: Commissioner Cowan

Green Energy Park Steering Committee: Commissioner Cowan

Health Board: Commissioner Jones

Juvenile Crime Prevention Council: Commissioner Jones

Personnel Committee: Commissioner Cowan

Revolving Loan Committee: Commissioner Jones, Commissioner Cowan

Smoky Mountain Mental Health Board: Commissioner Cowan

Commissioner Massie moved to approve the appointments. Chairman McMahan seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Cowan moved that the meeting be adjourned. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 5:30 p.m.

Attested By:

Approved:

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Evelyn B. Baker, Clerk to the Board

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Brian Thomas McMahan, Chairman