

**MINUTES OF AN
ORGANIZATIONAL MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
DECEMBER 03, 2018**

The Jackson County Board of Commissioners met in an Organizational Meeting on December 03, 2018, 6:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Boyce Deitz, Vice Chair
Mickey Luker, Commissioner
Ron Mau, Commissioner
Gayle Woody, Commissioner

Don Adams, County Manager
Heather C. Baker, County Attorney
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order and asked everyone to move to Courtroom One for the Swearing-In Ceremony.

The Honorable Ann Melton performed the swearing in ceremony of Commissioner Gayle Woody, Commissioner Boyce Deitz and Chairman Brian McMahan.

Chairman McMahan called the meeting back to order in Room A201.

(1) **AGENDA:** Commissioner Mau moved to approve the Agenda. Commissioner Deitz seconded the Motion. Motion carried.

(2) **VICE CHAIR:**

Motion: Commissioner Woody moved to appoint Boyce Deitz as Vice Chair. Chairman McMahan seconded the Motion. Motion carried by unanimous vote.

(3) **BONDS FOR SHERIFF AND REGISTER OF DEEDS:**

Motion: Commissioner Deitz moved to approve bonds for the Sheriff and Register of Deeds. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

(4) **RULES OF PROCEDURE:** Chairman McMahan recommended that the Jackson County Board of Commissioners adopt the Suggested Rules of Procedure for the Board of County Commissioners, Fourth Edition, 2017, hereinafter “Suggested Rules”, with the modifications specified below. Each section stated below was adopted as a modification to the section of the Rule stated in the Suggested Rules. If a section was not reprinted or modified below, it remained as stated in the Suggested Rules including any option in parenthesis or brackets. If a section modified below was followed by ..., this means that the remaining or unmodified section or sections remained as stated in the Suggested Rules.

Rule 1. **Applicability of Rules:** These rules apply to all meetings of the Board of Commissioners of *Jackson* County...

Rule 3. **Remote Participation in Board Meetings:** A member who is not physically present for a board meeting and provides at least 24 hour notice to the County Manager, may take part in debate in the meeting by electronic means but may neither be counted toward a quorum nor may be the deciding vote on any matter before the board.

Rule 8. Organizational Meeting: Selection of Vice Chair

- (a) Requirement to Hold Organizational Meeting. The board shall hold an organizational meeting each December to take the actions set out in this rule.
- (b) Scheduling Organizational Meeting
 - (1) *Even-Numbered Years*. The board shall hold an organizational meeting at its regular meeting place at a time to be determined on the first Monday in December of each even-numbered year.
 - (2) *Odd-Numbered Years*. The board shall hold an organizational meeting during its first regular meeting in December.
- (c) Order of Business
 - (1) *Even-Numbered Years*
 - (A) As the first order of business at the organizational meeting, all persons elected or reelected to the board at the most recent county election must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution, unless they did so earlier in the day. They must then take the General Oath prescribed by G.S. 11-11. Each member's constitutional oath must be filed with the Clerk to the Board. Although a newly elected or reelected member who has not yet been sworn and who is not present for the organizational meeting may be sworn in later, the member must take, subscribe, and file the constitutional oath and take the G.S. 11-11 oath before he or she begins performing any of the duties of the member's office.
 - (B) As the second order of business, the board shall elect a vice chair from among its members using the procedure specified in Rule 39.
 - (C) As the third order of business, the board shall approve the bonds of the Sheriff and the Register of Deeds and induct any other newly elected county officials into office.
 - (2) *Odd-Numbered Years*. As the first order of business, the board will elect the vice chair.
- (d) Presiding Officer. If the newly elected chair has not been sworn prior to the organizational meeting, the outgoing chair shall call the organizational meeting to order and preside until the newly elected chair has been sworn. If the organizational meeting takes place during an even-numbered year in which the outgoing chair has lost his or her seat on the board, the clerk to the board shall fill the role of presiding officer until the newly elected chair is sworn. Once sworn, the new chair shall preside.

Rule 9. The vice chair shall serve at the board's pleasure.

Rule 10. The board shall hold a regular meeting on the first and third Tuesday of each month, except that if a regular meeting day is on a holiday on which county offices are closed, the meeting shall be rescheduled or canceled. The meeting shall be held in the Commissioners board room and begin at 6:00 pm on the first Tuesday and at 3:00 pm on the third Tuesday. The board shall adopt a resolution establishing the meeting schedule each year consistent with this rule. For purposes of these rules, a work session of the board constitutes a regular meeting if it appears on the board's duly adopted schedule of regular meetings. In all other cases, a work session is a special meeting to which the provisions of Rule 11 apply.

Rule 15. Agenda

- (a) Draft Agenda
 - (1) Preparation. The Clerk to the board shall prepare a draft agenda in advance of each meeting of the board. For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the Clerk to the board or the County Manager at least four working days before the date of the meeting. The clerk must place an item on the draft agenda in response to a board member's timely request....

Rule 17. Agenda Items from Members of the Public

If a member of the public wishes to request that the board include an item on its regular meeting agenda, he or she must submit the request to the County Manager at least five working days before the date of the meeting. The board is not obligated to place an item on the agenda merely because such a request has been received.

Rule 18. Order of Business. Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- Call to Order
- Approval of Agenda
- Approval of Minutes
- Administrative Reports
- Informal Comments by Public
- Consent Agenda
- New Business
- Old Business
- Legislation
- Appointments
- Press Conference
- Closed Session

Rule 19. The Chair ...

(b) Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted....

Rule 21. When the Presiding Officer is Active in Debate. If the chair becomes active in debate on a particular proposal, he or she may have the vice chair preside during the board's consideration of the matter. If the vice chair is absent or is also actively debating the matter, the chair may designate another member to preside until the matter is concluded. Similarly, if while presiding, the vice chair or temporary chair wishes to join in debating a topic, he or she may designate another member to preside for the duration of the board's consideration of the matter.

Rule 23. Second Required. A second is required on all motions.

Rule 29. Duty to Vote

(a) Duty to Vote. Every board member must vote except when excused from voting as provided in this rule...

(d) Consequence of Non-Excused Failure to Vote. If a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided...

Rule 33. Introduction of Ordinances. For purposes of these rules, the "date of introduction" for a proposed ordinance is the first day on which the board actually considers the proposed ordinance.

Rule 38. Appointments...

(b) Nomination and Voting Procedure for Appointed Bodies. The board shall use the following procedure to appoint individuals to bodies over which it has the power to appoint. The chair shall open the floor for nominations, whereupon board members may put forward and debate nominees. When debate ends, the chair shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

Motion: *Chairman McMahan moved to adopt the Rules of Procedure and the stated modifications with regular meetings be scheduled on the first Tuesday of each month at 6:00 p.m., the third Tuesday of each month at 3:00 p.m. and a work session to be scheduled on the second Tuesday of each month at 1:00 p.m. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

(5) COMMISSIONER APPOINTMENTS-BOARDS/COMMISSIONS:

<u>Commissioner</u>	<u>Board</u>
Brian McMahan	CTP Steering Committee
Brian McMahan	Road Naming Board
Brian McMahan	Southwestern Commission RPO
Brian McMahan	Vaya County Commissioner Advisory Board
Boyce Deitz	Fire Commission
Boyce Deitz	Juvenile Crime Prevention Council
Boyce Deitz	Mountain Projects
Boyce Deitz	Transit Advisory Board
Mickey Luker	Council on Aging
Mickey Luker	Emergency Food & Shelter
Mickey Luker	Public Library
Ron Mau	Tourism Development Authority
Ron Mau	Tuckasegee Water and Sewer Authority
Gayle Woody	Recreation and Parks Advisory Board
Gayle Woody	Road Naming Board

(a) Mountain Projects: Commissioner Deitz stated that he would request to be considered for the Mountain Projects appointment.

(b) Road Naming Board: Commissioner Woody stated she would be willing to serve on the Road Naming Board.

(c) Recreation and Parks Advisory Board: Commissioner Woody requested to be considered for the Recreation and Parks Advisory Board. Commissioner Deitz stated that he was willing to surrender the appointment.

Motion: *Chairman McMahan moved to approve the appointments as listed and stated. Commissioner Mau seconded the motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 6:30 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman