

**MINUTES OF AN  
ORGANIZATIONAL MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
DECEMBER 05, 2022**

The Jackson County Board of Commissioners met in an Organizational Meeting on December 05, 2022, 5:00 pm, Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Mark A. Letson, Chairman  
Todd Bryson, Vice Chair  
Mark Jones, Commissioner  
John W. Smith, Commissioner  
Tom Stribling, Commissioner

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

Chairman Letson called the meeting to order.

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

(2) **VICE CHAIR**: Chairman Letson opened the floor for discussions and nominations for Vice Chair.

Commissioner Stribling nominated Commissioner Bryson to serve as Vice Chair.

Commissioner Bryson stated it was an honor to serve on the Board. He may be the youngest to ever be elected in the county and possibly the state. It would be an honor to serve as Vice Chair and he would accept the nomination.

**Motion**: *Commissioner Stribling moved to appoint Commissioner Bryson as Vice Chair of the Board of Commissioners. Commissioner Smith seconded the Motion. Motion carried by unanimous vote.*

(3) **BONDS FOR SHERIFF AND REGISTER OF DEEDS**: Mr. Adams stated the Board was required to approve the amount of the bond for the Sheriff and Register of Deeds. The maximum amount allowable for the Sheriff was \$25,000. The maximum amount allowable for the Register of Deeds was \$50,000. These limits were set by the state. He recommended to approve these amounts for the bonds.

**Motion**: *Commissioner Stribling moved to approve the bond for the Sheriff in the amount of \$25,000, as requested. Commissioner Bryson seconded the Motion. Motion carried by unanimous vote.*

**Motion**: *Commissioner Bryson moved to approve the bond for the Register of Deeds in the amount of \$50,000, as requested. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**(4) RULES OF PROCEDURE:** Mr. Adams stated that the Board had been using the Suggested Rules of Procedure for the Board of County Commissioners, Fourth Edition, 2017, by Trey Allen, North Carolina School of Government. There were suggested modifications to the rules.

He presented the Modifications to Suggested Rules of Procedure. Each section stated 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 meant 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) 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.

(b) During a State-Level Declared Emergency, the Board will follow the provisions for Remote Meetings set forth in G.S. 166A-19.24.

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 \_\_\_\_ 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 \_\_\_\_\_ pm on the first \_\_\_\_\_ and at \_\_\_ pm on the third \_\_\_\_\_. 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.

General discussions were held.

**Consensus:** *Set the meeting schedule as follows: First Tuesday of each month, hold a Regular Meeting at 6:00 p.m.; Second Tuesday of each month, hold a Work Session at 1:00 p.m.; and Third Tuesday of each month, hold a Regular Meeting at 6:00 p.m.*

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 date on which the proposed ordinance appears on the approved agenda for a board meeting.

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.

General discussions were held.

***Motion:*** *Commissioner Bryson moved to adopt the Suggested Rules of Procedure for the Board of County Commissioners, Fourth Edition, 2017, by Trey Allen, along with the Modifications to Suggested Rules of Procedure, as presented. Commissioner Stribling seconded the Motion. Motion carried by unanimous vote.*

**(5) COMMISSIONER APPOINTMENTS - BOARDS/COMMISSIONS:** Mr. Adams presented a list of Boards and Committees that County Commissioners served on for the Board to consider and discuss.

Chairman Letson stated that if there were no objections, he wanted to table this discussion so that they could speak with Commissioner Stribling and Commissioner Jones regarding which boards they may or may not want to be on that they were currently serving on. They could discuss the item at the regular meeting on December 6<sup>th</sup>.

Commissioner Bryson stated he previously requested that Mr. Adams and Ms. Baker research if there would be a conflict of interest if he served on the Mountain Projects Board.

Mr. Adams stated that he did receive a letter from Mountain Projects that stated there potentially would be a conflict with Commissioner Bryson serving on the Mountain Projects Board because he was related to the Executive Director. He followed up with Mountain Projects with additional questions to define a legal conflict versus a perceived conflict.

Ms. Baker stated that from the county side, it was very unusual for there to be an actual legal conflict that would affect the Commissioners. There was no legal conflict from the county side that would prohibit Commissioner Bryson from serving on the Mountain Projects Board.

Commissioner Bryson stated that he wanted to be on record that his brother was a former supervisor at the HUD Department. He did not believe there would be a conflict of interest for him to serve on the Mountain Projects Board.

Mr. Adams stated that he requested Mountain Projects respond to the county regarding any legal conflicts or if there were any policy conflicts. Mountain Projects did have a Conflict of Interest Policy that referred to potential perceived conflicts. Mountain Projects had a process in which they involved additional board members in the discussion. This was where Mountain Projects was in the process of investigating this matter. The appointment conversations could be continued at upcoming meetings.

***Motion:*** *Commissioner Smith moved to table this item. Commissioner Bryson seconded the motion. Motion carried by unanimous vote.*

Mr. Adams congratulated the newly elected Commissioners. He looked forward to continued success with the Board.

Commissioner Bryson stated that he was looking forward to working with Commissioner Stribling and Commissioner Jones. When he started running the campaign, he did not want to get too political. He set out to do what was right for the county and not for political purposes, at all. He looked forward to working with Ms. Winchester, Ms. Baker, Mr. Adams and the rest of staff.

Commissioner Smith stated that he wanted to echo Commissioner Bryson's statement. He was humbled that the people of Jackson County selected him to represent them.

There being no further business, Commissioner Bryson moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 5:35 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Mark A. Letson, Chairman