

**Minutes of the 1 December 2014  
Special Meeting of the Yancey County Board of Commissioners  
Held at 2:00 o'clock p.m. in the Commissioners Board Room  
Yancey County Courthouse, Burnsville, North Carolina**

Present at the 1 December 2014 meeting of the Yancey County Board of Commissioners were Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Byrl Ballew, Commissioner Randy Ollis, Commissioner Jeff Whitson, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Attorney Donny Laws, members of the media, and members of the general public.

**Call to Order and Approval of Agenda**

Chairman Riddle called the meeting to order and asked the Board to approve the agenda. Commissioner Ollis made a motion to approve the agenda and it was seconded by Commissioner Whitson. The motion to approve was unanimous. (Attachment A)

**Nomination and Election of Chairperson of the Board of Commissioners**

Chairman Riddle next opened up the floor for nominations for chairperson of the Yancey County Board of Commissioners. Commissioner Ollis nominated Chairman Johnny Riddle to continue as the Chairman of the Board of Commissioners. Commissioner Austin seconded the nomination. Hearing no more nominations Chairman Riddle closed the floor to nominations. The vote for chairman was then held and was unanimous to elect Chairman Johnny Riddle to continue as chairman.

**Nomination and Election of Vice-Chairperson of the Board of Commissioners**

Chairman Riddle then opened the floor for nomination of vice-chairperson of the Board of Commissioners. Chairman Riddle nominated Commissioner Austin for vice-chairperson. That motion was seconded by Commissioner Ollis. Hearing no further nominations for vice-chairperson Chairman Riddle closed the floor to nominations. The vote for vice-chairperson was then held. Commissioner Austin was elected Vice-Chairperson of the Board by unanimous vote.

**Appointment of Commission Members to vacant civic board/committee positions**

The Board next heard from County Manager Nathan Bennett who stated that there were a couple of civic and community boards and committees that have vacancies that need to have commissioners appointed to them. Discussion followed about the Graham Children's Board of Directors. Commissioner Austin stated that she had always been on that board and it was suggested by other commissioners that she serve on the board as a commissioner appointment. Upon conclusion of the discussion, Commissioner Ballew made a motion for Commissioner Austin to be appointed to the Graham Children's Board of Director as a commissioner appointment. The motion was seconded by Commissioner Ollis and the vote to approve was unanimous. The Board next heard from County Manager Bennett concerning the Smoky Mountain Center County Commissioner Advisory Council appointment. Mr. Bennett stated that the advisory council is part of North Carolina's effort to reform mental health in the state. This advisory committee meets once per quarter in Asheville. Commissioner Whitson then stated that he would be interested in serving on this committee if someone else would be willing to serve on the Juvenile Crime Prevention Council (JCPC) which meets here in the county. Commissioner Ballew indicated that he would be willing to serve on JCPC if Commissioner Whitson would like to be appointed to the Smoky Mountain Center County Commissioner Advisory Council. Upon hearing from Commissioner Ballew, Commissioner Ollis made a motion to appoint Commissioner Whitson to the Smoky Mountain Center County Commissioner Advisory Council and to appoint Commissioner Ballew to the JCPC of Yancey County. The motion was seconded by Commissioner Austin and the vote to approve was unanimous.

**Approval of the Sheriff's Bond**

The Board next moved to the issue of the sheriff's bond. County Manager Nathan Bennett stated to the Board that Sheriff Gary Banks has supplied the County with a bond of \$25,000 from RLI Insurance Company. Discussion followed concerning the statute that requires a sheriff to have a bond and the amount. Upon conclusion of the discussion, Chairman Riddle made a motion to approve Sheriff Bank's bond and it was seconded by Commissioner Austin. The vote to approve was unanimous (Attachment B).

**Update on Tax Assessor Appointment**

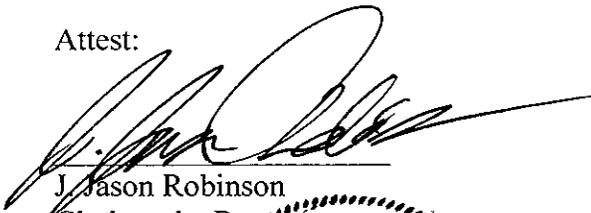
The Board next heard from County Manager Nathan Bennett concerning the vacancy in the tax assessor/tax administrator's position. Mr. Bennett updated that Board that in July a vacancy occurred in the mapping supervisor's position. At that time, the current tax administrator/tax assessor Jeff Boone indicated that he would be interested in moving back to the mapping position which he previously held. According to Mr. Bennett, Mr. Boone has now officially resigned his position as tax administrator/assessor effective upon the appointment of a new tax administrator/assessor. He has agreed to help the new administrator/assessor any way that he can when they are appointed. Commissioner Whitson then asked if potential candidates could be discussed in open session or would the Board need to go into closed session. County Attorney Donny Laws advised the Board that they would need to go into closed session to discuss specific candidates. Upon hearing from the county attorney, Commissioner Ollis made a motion to go into closed session pursuant to NCGS 143-318.11(a)(6) to discuss personnel. The motion was seconded by Commissioner Whitson and the vote to go into closed session was unanimous. Upon coming out of closed session, the Board took no action. Discussion next followed about possible dates of a Board retreat and a Board work session in January. It was agreed to by the Board that the work session would take place on January 12<sup>th</sup> before the regular meeting and the Board retreat would be held on December 18<sup>th</sup>.

**Adjournment**

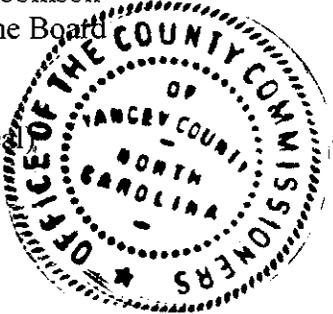
Having no further business Commissioner Ollis made a motion to adjourn and it was seconded by Commissioner Ballew. The vote to adjourn was unanimous.

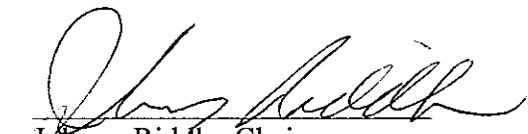
Approved and authenticated on this the \_\_\_\_\_ 8<sup>th</sup> \_\_\_\_\_ day of December 2014.

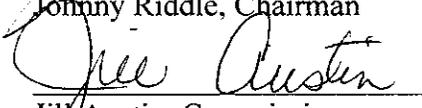
Attest:

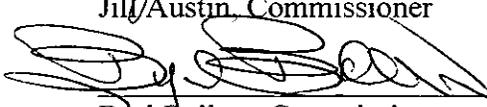
  
\_\_\_\_\_  
Jason Robinson  
Clerk to the Board

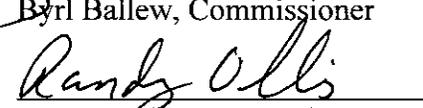
(county seal)

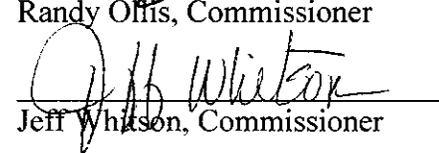


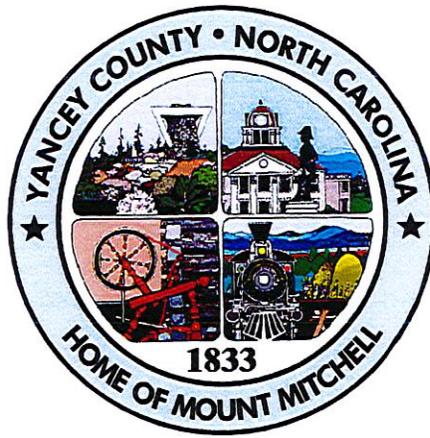
  
\_\_\_\_\_  
Johnny Riddle, Chairman

  
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Jill Austin, Commissioner

  
\_\_\_\_\_  
Byrl Ballew, Commissioner

  
\_\_\_\_\_  
Randy Ollis, Commissioner

  
\_\_\_\_\_  
Jeff Whitson, Commissioner



**AGENDA  
YANCEY COUNTY BOARD OF COMMISSIONERS  
ORGANIZATIONAL MEETING  
December 1, 2014  
2:00 P.M.**

- I. Call to Order – Chairman Johnny Riddle
- II. Approval of the Agenda
- III. Nomination and Election of Chairperson of the Board of Commissioners
- IV. Nomination and Election of Vice-Chairperson of the Board of Commissioners
- V. Appointment of Commission Members to vacant civic board/committee positions
  - a. Graham Children’s Health Services Board of Directors
  - b. Delegate for Commissioners Advisory Council for Smoky Mountain Center
- VI. Approval of Sheriff’s Bond
- VII. Update on Tax Assessor Appointment
- VIII. Adjourn

# Official Bond And Oath

Bond No. LSM0253189

**KNOW ALL MEN BY THESE PRESENTS:**

That we, Donald Gary Banks, as Principal,  
and RLI Insurance Company, a corporation duly  
licensed to do business in the State of North Carolina, as Surety, are held and firmly bound unto the \_\_\_\_\_  
County Of Yancey in the penal sum  
of Twenty-Five Thousand Dollars And No Cents DOLLARS  
( \$ 25,000.00 ), to the payment of which sum, well and truly to be made, we jointly and severally bind ourselves and our legal  
representatives firmly by these presents.

DATED this 19th day of November, 2014.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the said Principal was duly  elected  appointed to  
the office of Sheriff Of Yancey County in the State of North Carolina  
for the term commencing on the 6th day of December, 2014 and ending on December 6, 2018.  
NOW THEREFORE, if the said Principal shall faithfully perform the duties of his said office, then this obligation shall be void and of no  
effect.

This bond is executed by the Surety upon the following express conditions:

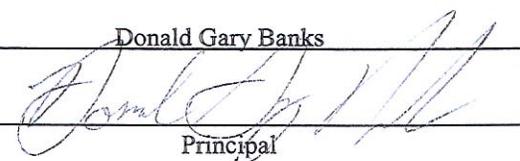
FIRST, the Surety shall not be liable hereunder for the loss of any public moneys or funds occurring through or resulting from the failure  
of, or default in payment by, any banks or depositories in which any public moneys or funds have been deposited, or may be deposited,  
or placed to the credit, or under the control of the Principal, whether or not such banks or depositories were or may be selected or  
designated by the Principal or by other persons; or by reason of the allowance to, or acceptance by the Principal or any interest on said  
public moneys or funds, any law, decision, ordinances, or statute to the contrary notwithstanding.

SECOND, that the Surety shall not be liable for any loss or losses, resulting from the failure of the Principal to collect any taxes,  
licenses, levies, assessments, etc., with the collections or which he may be chargeable by reason of his election or appointment as  
aforesaid.

THIRD, that the Surety may, if it shall so elect, cancel this bond by giving thirty (30) days notice in writing to the Obligee and this bond  
shall be deemed canceled at the expiration of said thirty (30) days; the Surety remaining liable, however, subject to all the terms,  
conditions and provisions of this bond for any act or acts covered by this bond which may have been committed by the Principal up to  
the date of such cancellation.

Countersigned

By \_\_\_\_\_

Donald Gary Banks  
  
Principal

RLI Insurance Company  
Roy C. Die  
Attorney In Fact



Roy C. Die  
Approving Officer  
Title

**APPROVAL:**

I have inspected the above Bond and do hereby certify  
that the same is sufficient.