

Minutes of the 4 October 2018
Special Meeting of the Yancey County Board of Commissioners
Held at 5:00 o'clock p.m. in the Yancey County Courtroom
Yancey County Courthouse, Burnsville, North Carolina

Present at the 4 October 2018 meeting of the Yancey County Board of Commissioners were Commissioner Jill Austin, Commissioner Mark Ledford, Chairman Johnny Riddle, Commissioner John Stallings, Commissioner Jeff Whitson, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Attorney Donny Laws, and Planning and Economic Development Director Jamie McMahan. Members of the Board of Elections were also present: Kim Simpson, Gary Boone, Brenda Wilson, and Julia Tipton by phone.

Call to Order and Approval of Agenda

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

Discussion of compensation of Board of Elections members

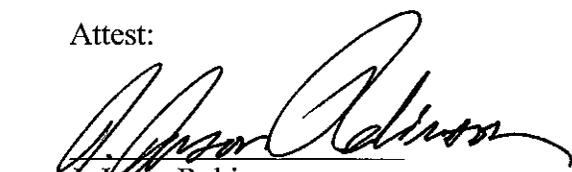
Chairman Riddle opened the meeting by stating that there might have been excessive compensation for board of elections members. Mrs. Wilson stated that in the 2016-17 budget that \$24,000 was allocated for board members. Mrs. Simpson then stated that Elections Director Mary Beth Tipton was instructed by the finance officer not to put an amount in the line item in the 2017-18 budget that she (finance officer) would put it in. Chairman Riddle then asked why we can't have a per month or a per meeting like the board of commissioners. Mrs. Wilson stated that the duties are so different during off years and election years. Mr. Boone then stated that the law allows the elections board to delegate most of its functions to the director except for quasi-judicial functions and policy making functions. Mr. Bennett then stated that it was brought to his attention about some members of the board of elections having excessive amounts of time on timesheets. Mr. Bennett stated that he had researched in minutes for many years and never found any action that the Board of Commissioners had taken to change the pay for the board of elections from the statutory minimum of \$25 per meeting. Somewhere along the line board of elections members had also been paid \$10 per hour in addition to the \$25 per meeting and according to Mr. Bennett this was an uncontrollable budget expense. Discussion followed concerning when the pay might have been changed. County Attorney Donny Laws stated that it sounded like that board of election members were getting paid different amounts but that it should be uniform. According to Mr. Laws all of the surrounding counties pay a monthly amount to every board member or pay a per meeting rate. Mr. Laws also stated that all the Board of Commissioners can do is set the rate of pay for the board of elections. Discussion followed about appropriate amount for the rate of pay and also the current budget for the board of elections. Commissioner Whitson stated that whatever the rate of pay should be needs to be standardized for all members. Mrs. Simpson wanted to know if there was a minimum amount of time required. It was explained that election board members would be paid the same amount every month, every year. The only addition would be reimbursements for mileage and per diem for meals for training. Upon conclusion of the discussion, Commissioner Stallings made a motion to approve the resolution setting the compensation for the board of elections. The motion was seconded by Commissioner Whitson and the vote to approve was unanimous (Attachment B). Commissioner Whitson then made a motion to pay the board of elections members as they had been paid in the past until October 1st. The motion was seconded by Commissioner Austin and the vote to approve was unanimous.

Adjournment

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

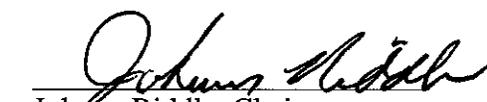
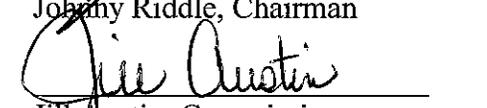
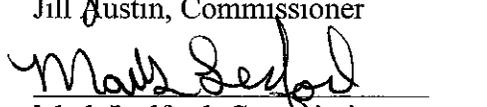
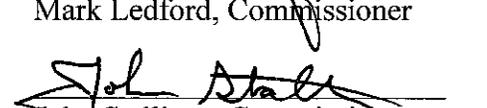
Approved and authenticated on this the 13th day of November 2018.

Attest:

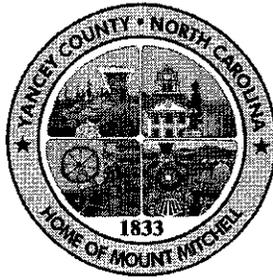

Jason Robinson
Clerk to the Board

(county seal)




Johnny Riddle, Chairman

Jill Austin, Commissioner

Mark Ledford, Commissioner

John Stallings, Commissioner

Jeff Whitson, Commissioner



**AGENDA
YANCEY COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
October 4, 2018
5:00 P.M.**

- I. Call to Order – Chairman Johnny Riddle
- II. Approval of the Agenda
- III. Joint Meeting with the Yancey County Board of Elections to discuss compensation for Board of Elections members
- IV. Adjourn



RESOLUTION

A RESOLUTION TO AFFIX THE COMPENSATION FOR MEMBERS OF THE YANCEY COUNTY BOARD OF ELECTIONS

WHEREAS, North Carolina General Statute (N.C.G.S.) 163A-766, provides that in every county of the State there shall be a county board of elections, to consist of four persons of good moral character who are registered voters in the county in which they are to act; and

WHEREAS, N.C.G.S. 163A-768, provides that in full compensation of their services, members of the county board of elections (including the chairman) shall be paid by the county twenty-five dollars (\$25.00) per meeting for the time they are actually engaged in the discharge of their duties, together with reimbursement of expenditures necessary and incidental to the discharge of their duties; and

WHEREAS, N.C.G.S. 163A-768, further provides that, in its discretion, the board of county commissioners of any county may pay the chairman and members of the county board of elections compensation in addition to the per meeting and expense allowance provided by this statute; and

WHEREAS, at some historical point in time members of the Yancey County Board of Elections began to be compensated on an hourly basis for time spent discharging their duties; and

WHEREAS, the method of compensating members of the Board of Elections on an hourly basis is inconsistent with the law and not authorized by the Board of County Commissioners and further presents uncontrollable budgetary liability to the county; and

WHEREAS, on August 10, 2018, the Yancey County Manager issued an administrative memorandum directing that the members of the Board of Elections be compensated at the rate of \$25.00 per meeting pursuant to the provision of N.C.G.S. 163A-768 until such time as compensation may be affixed by the Board of County Commissioners; and

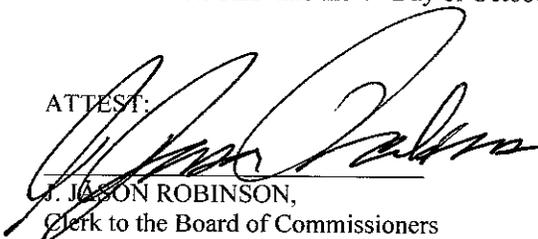
WHEREAS, the Yancey County Board of Commissioners desires to affix the compensation of the members of the Board of Elections consistent with the provisions of N.C.G.S. 163A-768 for the provision of fair and open elections in Yancey County.

NOW, THEREFORE, BE IT RESOLVED by the Yancey County Board of County Commissioners as follows:

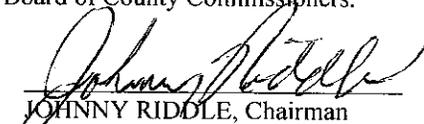
1. That the Members of the Yancey County Board of Elections shall be compensated at the rate of \$250.00 per month for services performed for the official discharge of their duties; said \$250.00 includes compensation for all meeting. Expense allowance shall be additional and in accordance with county policy.
2. That the Members of the Yancey County Board of Elections shall be reimbursed for expenditures necessary and incidental to the discharge of their duties at the same rate as any other Yancey County official or employee as set forth by the Board of Commissioners.
3. That this resolution be effective upon its adoption.

ADOPTED this the 4th Day of October, 2018, by the Yancey County Board of County Commissioners.

ATTEST:


J. JASON ROBINSON,
Clerk to the Board of Commissioners




JOHNNY RIDDLE, Chairman