

October 25, 2010 – Regular Session

The Swain County Board of Commissioners held a regular session on October 25, 2010. Present were Chairman Jones, Vice-Chair Lindsay, Commissioner Monteith, Commissioner Carson and Commissioner Moon.

Chairman Jones called the regular session to order. Commissioner Moon led with prayer and the pledge.

Adjust Agenda

Commissioner Monteith made a motion to adjust the agenda to better facilitate the meeting. Commissioner Carson seconded the motion. A vote was unanimous.

Minutes

Commissioner Moon made a motion to approve minutes of September 13 regular session and September 27 work session minutes. Commissioner Carson seconded the motion. A vote was unanimous.

Public Comments

There were no comments received from the public.

Administrative Reports

Tax Collector's Report: Peggy Hyde presented a report to the Board for the month of September, 2010. Ad-Valorem tax receivable was reported at \$4,415,568.97. There was \$498,104.23 collected for the month. Total collections year to date were \$1,839,871.45. The tax collection percentage year to date was 34.02%. Total releases were \$2,457.64, total discoveries were \$112,733.11 and total refunds were \$464.89. Commissioner Monteith made a motion to approve the Tax Collector's report as presented. Commissioner Carson seconded the motion. A vote was unanimous.

Finance Officer's Report: Vida Cody presented a report to the Board for the month of September, 2010. Mrs. Cody reported revenues for the month were \$702,852.67. Total revenue year to date is \$2,960,912.40. We have approximately 25.63% of revenues for 2010-2011 fiscal year. Expenditures for the month were \$1,128,161.02. Year to date we have expended \$2,583,874.66. We have paid out approximately 22.38% of the General Fund appropriations for 2010/2011 fiscal year. Commissioner Moon made a motion to approve the Finance Officer's report as presented. Commissioner Monteith seconded the motion. A vote was unanimous.

ACTION ITEMS

Approval of 2009-2010 Audit: Commissioner Moon made a motion to approve the 2009-2010 Audit. Commissioner Carson seconded the motion. A vote was unanimous.

Instrument of Combination: Commissioner Carson made a motion to allow Instruments of Combinations to be recorded on a maximum of two parcels of adjoining property. Commissioner Monteith seconded the motion. A vote was unanimous.

Conflict of Interest Resolution: Commissioner Carson made a motion to adopt the following resolution:



Resolution # 900-2010-06

**STATE OF NORTH CAROLINA
COUNTY OF SWAIN**

**RESOLUTION DECLARING CODE OF ETHICS FOR GOVERNING BOARD
MEMBERS OF THE SWAIN COUNTY COMMISSIONERS IN COMPLIANCE WITH
G.S. 160A-83**

WHEREAS, All Board members must obey all applicable laws regarding official actions taken as a board member. They must honor their oath of office, in which the member swore to uphold

the Constitution and laws. Board members should keep up to date about new or ongoing legal or ethical issues they may face in their official positions.

WHEREAS, All Board members must uphold the integrity and independence of the board member's office. This principle requires board members to make decisions based on the public good and not on their desires or considerations of special interest.

WHEREAS, All Board members must avoid impropriety in the exercise of their duties. They are to act as "especially responsible citizens", and to honor the public trust as they carry out their duties. Their official actions should be above reproach.

WHEREAS, All Board members are to faithfully perform the duties of the office. Board members should attend and prepare for meetings. They must demand accountability from others in order to preserve the trust and respect of their citizens.

WHEREAS, The affairs of the governing board will be conducted in an open and public manner. All applicable laws regarding open meetings and public records will be followed. It is the public policy of North Carolina that the meetings, deliberations, and actions of the Board be conducted openly. Meetings are conducted to deal with the county's business and as such records belong to the public. Board members are to keep confidential information from legally called and held closed sessions and to keep private information that the board's attorney has determined is confidential. Members of the board should take steps to make certain that any closed sessions held are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

NOW THEREFORE BE IT RESOLVED that the Swain County Board of Commissioners at its September meeting, adopted this resolution declaring the Code of Ethics for the Swain County Board of Commissioners.

Adopted this the 25th day of October, 2010.

Glenn Jones, Chairman

Attest:

Cindi C. Woodard, Clerk to the Board

Commissioner Monteith seconded the motion. A vote was unanimous.

Informal Discussion

None

Adjournment

With no further business to discuss, Commissioner Carson made a motion to adjourn. Commissioner Moon seconded the motion. A vote was unanimous.

Respectfully Submitted,

Cindi C. Woodard,
Clerk to the Board
Swain County Commissioners

Glenn Jones,
Chairman
Swain County Commissioners