

TOWN OF NEWLAND
MONTHLY BOARD MEETING
APRIL 6, 2020
6:00 PM

PLEDGE OF ALLEGIANCE

PROPOSED AGENDA

APPROVAL OF PUBLIC HEARING MINUTES

APPROVAL OF MINUTES

PUBLIC COMMENTS

CLAUDE BUCHANAN
(CARSHOW)

DEPARTMENT REPORTS

OLD BUSINESS

NEW BUSINESS
(POLICY CHANGE ON TAXES)
(TAG OFFICE EXPENSES)

APPROVE RESOLUTION FOR UPDATED CHARTER FOR THE HCCOG
APPROVAL OF BUDGET AMENDMENT
APPROVAL OF 2021 AUDIT CONTRACT
COLBY BENFIELD RAISE

TOWN OF NEWLAND

PUBLIC HEARING

FEBRUARY 2, 2021

5:50 PM

PRESENT:

MAYOR: Valerie Jaynes

ALDERMAN: Kenny Caraway, James C. Johnson, Christie Hughes, Dave Calvert, Lauren Turbyfill

STAFF: Lise Meinhardt, Keith Hoilman, Chief Byron Clawson

The Mayor Pro-Tem declared the public meeting open at 5:50 pm. The hearing was held for policy change. The policy change was for the Martin Luther King holiday and comp time. There were no public comments. The Mayor declared the meeting closed at 5:59 pm.

Mayor, Valerie Jaynes

Clerk, Tammy Gardner

TOWN OF NEWLAND
MONTHLY BOARD MEETING
FEBRUARY 2, 2021
6:00 PM

PRESENT:

MAYOR: Valerie Jaynes

ATTORNEY: Joe Seegers (absent)

ALDERMAN: Kenny Caraway, James C. Johnson, Lauren Turbyfill, Christie Hughes, Dave Calvert

STAFF: Lise Meinhardt, Keith Hoilman, Chief Byron Clawson

The Mayor called the meeting to order at 6:00 pm. The Mayor then led the audience in the pledge to the American flag.

The Mayor delegated Keith Hoilman to take the February meeting minutes.

James made a motion to accept the proposed agenda. Dave seconded the motion. All agreed by a show of hands and stating I.

James made a motion to approve the Public Hearing minutes. Lauren seconded the motion. All agreed by a show of hands and stating I.

James made a motion to approve the January minutes. Christie seconded the motion. All agreed by a show of hands and stating I.

The Mayor recognized Dave Calvert. Dave started by explaining how he has been in management for over 30 years. Dave stated he would like clarification on whom asked for the special meeting. Christie stated she asked for it. Dave asked for what reason it was needed. Christie stated to talk to the employee's to see if they needed anything, or if they could help in any way. Dave stated according to the law that would be illegal. Lauren stated she agreed with it because she thought it was a good ideal, the same as when they interviewed people or same mind state to be able to ask questions like what does a normal day look like and is their anything to make your job easier. Lauren stated she seen in the policy book and personally felt like it was wrong, and she decided not to have it. Dave stated the reason he questioned it was rumored from an informant or through town that it was to gather information to be able to dismiss the Town administrator. Dave stated he just wanted to clarify that. James stated he was not looking to fire anyone. Dave stated when he emailed and did not receive a response he started reviewing and was afraid of doing something improper or illegal. Dave stated he would rather discuss things as they come out rather than letting them go. Dave stated to the board if they get a chance to pull up the minutes from the last year to please do so. Dave stated it was really good to see what has been accomplished. Dave stated if something comes up to address it then. Dave stated he was not comfortable with the lawyer situation either. Dave stated we need to move forward. James stated that wanted to see what the employees were doing because every year they evaluated are for raises. James

stated it was discussed about longevity at budget time. Raises were proposed at 3% but were given 1 and a half. James stated that was more of the intent. James stated no one was looking to fire or run anyone off. James stated that all the employees work at the pleasure of the board, Dave stated it was the Town administrator's job to do evaluations and the board to do a format. Dave stated for them all to work together, not 2 or 3 board members. James stated he tried to contact Dave by text message. James asked Dave if he had done the ethics class. Dave stated he was doing it. James stated they should get together and figure out where the negativity is coming from. Dave asked if there was a hidden agenda that he was not aware of. The mayor stated she wanted to address something, that one of the email responses was inaccurate and inappropriate. The Mayor stated the email sent to the administrator was that they would call him if they needed him and he was not needed for the evaluations. The mayor stated she had been in contact with a lawyer and it could have set up a lawsuit. The mayor said a chain of command needs to be set up and she would be happy to go to each employee to see what they need. The mayor stated she would be more involved if that is what it takes, but she was sick of all the nickpicking going on. The Mayor stated it was a municipality and it needs to be run like one. Lauren stated she has done a lot of praying about this and thinks they need a change of perspective. Lauren stated instead of looking at the person they need to look at that position. She stated it needed to be about the position and if it is being done properly. Dave stated to come up with a formal format. Lauren stated that was done in the past, she has her note's and a man came and evaluated the employees and it should still be accurate. Keith stated it started in a workshop to do format and evaluations, but was never finished. In the new draft version it was decided the department head would do evaluations, but not policy. Kenny stated he voted no because he was not comfortable evaluating employees on the job descriptions that they have. Kenny stated the department heads know what the employees do and should be in charge of evaluations. Christie stated the board members should get know and understand the jobs of the employees and the employees better. The Mayor stated the need to take notes at each meeting and put unfinished business on the next agenda. The Mayor stated if anyone has something against the other go talk and not let it fester.

Chief Byron Clawson gave the police report. Chief Clawson went over all notable calls. Chief Clawson stated officer Fields and officer Queen attended Dangerous Crossroads 1st and 4th Amendment Issues. Chief Clawson attended Civil Unrest training with Sheriff Frye. Chief Clawson stated he completed the accreditation process for the Newland Police Department for safe communities.

Keith Hoilman gave the administrators report. Keith stated Bojangles was at a standstill right now and it would probably be April. Keith stated that Oreilly's is still a go and should close next month. Keith stated there was other projects being looked at.

In old business: The Mayor stated in the last meeting we should have reappointed a Mayor Pro-Tem.

Lauren made a motion to reappoint James C. Johnson as Mayor Pro-Tem. Dave seconded the motion. All agreed by a show of hands and stating I. Motion carried. Kenny discussed the job of a Mayor Pro-Tem and asked James if he was comfortable doing the thing a mayor does in case Valerie was absent. James stated he was comfortable.

In new business: James made a motion to accept the policy change of Chapter 13 and Martin Luther King Day. Dave seconded the motion. All agreed by a show of hands and stating I. Motion carried.

James stated at the next workshop there needs to be a policy in place to protect the Town when they adjust water bills. James stated they need to do a workshop on it, so a workshop was planned for February 25th at 5:30 pm. Kenny asked about a system to be able to hear people better. Keith stated he had a couple of estimates. The board discussed doing an ethnic's training and training for the clerk also. The board discussed getting a tv and being able to do zoom meetings. The mayor asked if the snow day situation was worked out. James and Keith have set up a call to go out to the employees. Christie stated she went to Keith and told him she was sorry for anything in the past. Keith stated she did. Christie stated to the board to make this a new day and a fresh start over today. The board agreed.

Christie made a motion to adjourn. Lauren seconded the motion. All agreed by a show of hands and stating I. Meeting adjourned at 7:30 pm.

Mayor, Valerie Jaynes

Clerk, Tammy Gardner

**TOWN OF NEWLAND
EMERGENCY MEETING**

MARCH 25, 2021

6:30 PM

PRESENT:

MAYOR: Valerie Jaynes

ATTORNEY: Joe Seegers

ALDERMAN: Kenny Caraway, James Johnson, Lauren Turbyfill, Christie Hughes

STAFF: Lise Meinhardt, Chief Byron Clawson, Colby Benfield, Tammy Gardner

The Mayor called the meeting to order at 6:30 pm.

Joe Seegers explained the water/sewer contract with Water Quality. James C. Johnson made a motion to accept the contract for water/sewer with Water Quality. Lauren seconded the motion. All agreed by a show of hands and stating I. Motion carried.

Colby explained to the board about adding an extra maintenance worker. James made a motion to hire a full-time maintenance worker 1. Lauren seconded the motion. All agreed by a show of hands and stating I. Motion carried.

Christie stated she has an employment application that the Town might want to look at. The Mayor also stated she had one too for the board to look over and decide what to use.

James made a motion to go into closed session for personnel. Christie seconded the motion. All agreed by a show of hands and stating I.

Upon returning from closed session, the Mayor announced no decision was made.

Kenny made a motion to adjourn. Christie seconded the motion. All agreed by a show of hands and stating I. Meeting adjourned at 7:30 PM.

Mayor, Valerie Jaynes

Clerk, Tammy Gardner

WHEREAS, the High Country Council of Governments was originally chartered in 1974, when created by the Counties of Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, and Yancey, then as "Region D Council of Governments"; and

WHEREAS, since formed, the High Country Council of Governments has adopted bylaws, and from time-to-time amended both its Charter and bylaws; and

WHEREAS, the High Country Council of Governments has grown by adding municipalities, and its governance has evolved to include regular monthly meetings of the full board where all member counties and municipalities have voting representatives; and

WHEREAS, the Executive Board and management of the High Country Council of Governments have undertaken to update and modernize its Charter, with the proposed amended Charter attached hereto; and

WHEREAS, by Charter, two-thirds of the participating governmental units must approve of any Charter amendment; and

WHEREAS this Town's Council has had opportunity to review the changes contained within the proposed amendments to the Charter attached hereto, and finds that those changes accurately reflect, modernize, and improve the High Country Council of Governments' ongoing organization and operations and should be approved and adopted;

NOW, THEREFORE, BE IT RESOLVED by the _____ Town Council that the attached amended Charter for the High Country Council of Governments should be adopted and approved.

Adopted this the _____ day of _____, 2021.

Attest:

Mayor, Town of _____

Clerk to the Board

CONCURRENT RESOLUTION TO ENACT
A CHARTER FOR THE
REGION D COUNCIL OF GOVERNMENTS

Whereas, Article 20 of Chapter 160A authorizes any two or more municipalities and counties to create a regional council of local officials with such powers as are specified in the creating resolution or amendments thereof; and

Whereas, the governing bodies of the Counties of Alleghany, Ashe, Wilkes, Watauga, Avery, Mitchell, and Yancey have expressed an interest in the creation of a regional council of local officials; and the governing bodies of their local governmental units finds that it would be in the best interest of the citizens of this area to join together in the creation of such a regional council of local officials; and

Whereas, a regional council of local officials would benefit the governmental units participating in such a council, would provide a forum in which the participating officials might study and discuss community problems of mutual interest and concern and could lead to making of recommendations for consideration by the participating local governing bodies.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Alleghany, Ashe, Watauga, Wilkes, Avery, Mitchell, and Yancey Counties, that there be formed a regional council of local officials to be designated Region D Council of Governments with the charter of said council being as follows:

CHARTER OF THE REGION D COUNCIL OF GOVERNMENTS

ARTICLE I

Section 1. Name of Council

The name of the regional council of local officials hereby created is the Region D Council of Governments. "Hereinafter referred to as the "Council".

Section 2. Membership

(a) Membership in the Council shall consist of the counties of Alleghany, Ashe, Wilkes, Watauga, Avery, Mitchell, and Yancey upon adoption of this concurrent resolution. Thereafter, membership shall be allowed to any municipality in Region D upon adoption by the applicant of a resolution identical to the one under which the Council is then operating. The governing body of the applicant shall select one of its elected members to be a member of the Council. Membership shall also be open to minority organizations of Region D.

(b) Any participating governmental unit, or minority organization, may withdraw from the Council at the end of any Council fiscal year, after having given sixty (60) days notice to that effect and sending a certified copy of said resolution to the other participating governmental units.

Section 3. Governing Structure

(a) Council Board. All members of the Council shall be collectively referred to as the Council Board. Each member shall select a member of their governing board or representatives of

minority organizations as its representative on the Council.

(b) Executive Committee

The Executive Committee shall consist of the following:

1. One elected official from each County's Board of Commissioners.
2. One elected official from a municipality within each county with each county's municipal representative being selected by caucus of their members at the annual meeting of the Council Board.
3. One representative of minority organizations within the Region.

The maximum number of Executive Committee members is fifteen.

(c) Voting:

1. Voting on both the Council Board and the Executive Committee shall be on the basis of one vote per member of the Council Board or Executive Committee unless a weighed vote is called for under the provision of subparagraph 2 hereunder.
2. A weighed vote may be called for by any member of the Council Board or Executive Committee
3. In weighed voting, each member of the Executive Committee is allowed one vote plus one vote for each 10,000 population or a fraction thereof represented.

(d) 60% of the members of the Council shall constitute a quorum at any regular or special meeting of the Council. The affirmative vote of a simple majority of the votes cast shall be necessary to act favorably on any matter.

Section 4. Purpose

The purpose of the Council shall be:

- (1) To serve as a forum for discussion of governmental problems of mutual interest and concern.
- (2) To develop and formalize policy recommendations concerning matters having an area-wide significance.
- (3) To promote inter-governmental cooperation.
- (4) To provide organizational machinery to insure effective communication and coordination among the participating governmental units;
- (5) To serve as a vehicle for the collection and distribution of information concerning matters of area-wide interest; and
- (6) To review upon request of a participating governmental unit applications of that unit for any grant-in-aid, federal, state, or private.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with problems in a manner which is mutually satisfactory, and shall respect the autonomy of all local governments, within the Region D area.

Section 5. Finance Matters

(a) On or before the 15th of April each year, the Executive Director shall prepare and submit to each participating governmental unit a proposed budget for the next fiscal year commencing July 1.

(b) The budget shall also set out the proportionate share (in terms of percentage) of the budget to be borne by each participating governmental unit, based on the latest decennial census.

(c) Upon approval of the budget by all participating governmental units, each participating governmental unit shall appropriate its share of the budget and shall forward to the Council Treasurer its share of the budget. All such appropriations shall be made in accordance with the Municipal or County Fiscal Control Act, as may be appropriate. The Council may designate a Council employee or with the agreement of the governing body involved, designate one of the City or County Accountants as the official Council Treasurer to perform the function of the City or County Accountant under the Municipal or County Fiscal Control Act insofar as post-budget approval or expenditures is concerned.

ARTICLE II

Section 1. Meetings

Regular meetings of the Council Board shall be held at least once annually. Regular meetings of the Executive Committee shall be held monthly. Special meetings of the Council or Executive Committee may be called by the Executive Director, Chairman, or

by any three members of the Council or Executive Committee.

At least five days written notice shall be given of any special meeting. It shall state the time, place, and purpose of the meeting.

Section 2. Annual Report

The administrator shall prepare and submit an annual written report of the Council activities, including a financial statement to the participating governmental units.

ARTICLE III

Section 1. Officers

At the first regular meeting of the Executive Committee and annually thereafter, the Executive Committee shall elect a chairman, vice chairman, secretary, and treasurer to serve for one year or until their successors have been duly elected. All officers shall be members of the Executive Committee. The Executive Committee may elect such additional officers as it finds to be necessary in the proper performance of its duties.

Section 2. Duties of Officers

(a) The Chairman shall preside at all meetings of the Council and Executive Committee and shall conduct said meetings in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought before the Council of Executive Committee and the Chairman shall have the same voting rights as other members.

(b) The Chairman may appoint such committees as he finds to be necessary or desirable.

(c) The vice chairman shall perform all the duties of the chairman in the absence of the chairman, or in event of the inability of the chairman to act and shall perform such other duties as the Executive Committee may delegate to him.

(d) All other officers elected by the Executive Committee shall perform such duties as may be prescribed by Executive Committee.

ARTICLE IV

Section 1. Powers, Duties and Responsibilities of the Council

The Council, within the limitations of funds and personnel provided by the participating governmental units, shall have the following powers, duties, and responsibilities:

(1) To apply for, accept, receive, and disburse funds, grants, and services made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of local government (whether or not a member of the Council), and any private or civic agency;

(2) To employ personnel;

(3) To contract with consultants;

(4) To contract with the State of North Carolina, any other state, the United States of America, or any agency thereof, for services;

(5) To study regional governmental problems, including matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning, and regional development;

(6) To promote cooperative arrangements and coordinated action among its member governments;

(7) To make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located;

(8) Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern, subject to approval of the Executive Committee.

ARTICLE V

Section 1. Executive Director

The Executive Director will be selected by the Executive Committee of the Council. The salary of the Executive Director will be set annually by the Executive Committee.

Section 2

Other staff employees will be employed by the Executive Director based upon qualifications for the position. All employees, including the Executive Director are employees of the Council.

ARTICLE VI

Amendments

Amendments to the Charter shall not become effective until adopted by two-thirds (2/3) of the participating governmental units in the Region D Council of Governments.

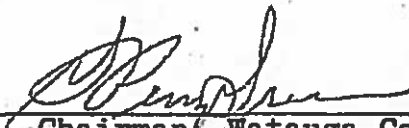
ARTICLE VII

Effective Date

This Charter shall be in full force and effective from and after the date of its adoption by all initially named participating governmental units.

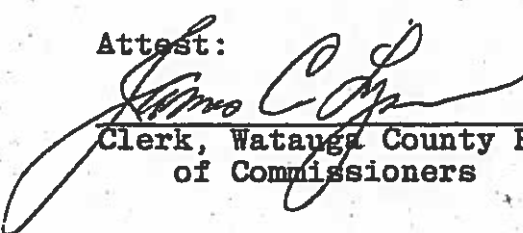
In witness whereof, the Board of County Commissioners of the County of Watauga, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974.



Chairman, Watauga County Board
of Commissioners


Attest:



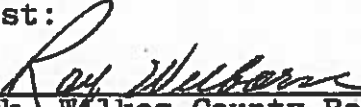
Clerk, Watauga County Board
of Commissioners

In witness whereof, the Board of County Commissioners of the County of Wilkes, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974.

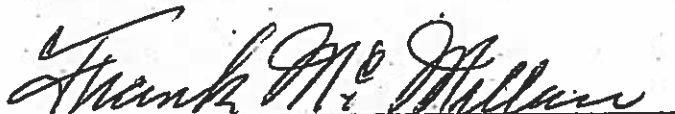

Chairman, Wilkes County Board of
Commissioners

Attest:


Clerk, Wilkes County Board of
Commissioners

In witness whereof, the Board of County Commissioners of the County of Ashe, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974



Chairman, Ashe County Board of
Commissioners

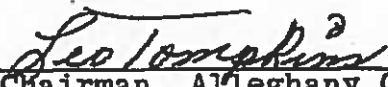
Attest:



Clerk, Ashe County Board of
Commissioners

In witness whereof, the Board of County Commissioners of the County of Alleghany, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974


Chairman, Alleghany County Board
of Commissioners

Attest:


Clerk, Alleghany County Board
of Commissioners

In witness whereof, the Board of County Commissioners of the County of Avery, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 5th day of August, 1974.


Rayl Banner

Chairman, Avery County Board
of Commissioners

Attest:

Bette D. Setzer

Clerk, Avery County Board
of Commissioners

NORTH CAROLINA

MITCHELL COUNTY

IN WITNESS WHEREOF, the Board of County Commissioners of the County of Mitchell, State of North Carolina have duly authorized the Chairman of the Board to act on behalf of the Board and,

WHEREAS the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974.

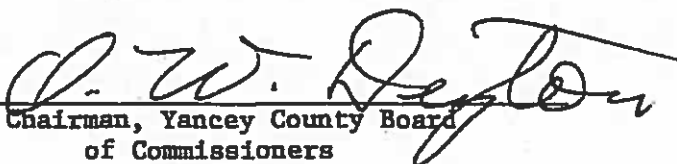
Robert B. Hyles
Chairman, Mitchell County Board of
Commissioners

ATTEST:


Judy Young
Judy Young, Clerk to the Board

In witness whereof, the Board of County Commissioners of the County of Yancey, State of North Carolina, have duly authorized the Chairman of the Board to act on behalf of the Board, and whereas the Chairman has caused this resolution to be executed and approved.

This the 2nd day of April, 1974.


Chairman, Yancey County Board
of Commissioners

Attest:


Clerk, Yancey County Board
of Commissioners

CONCURRENT RESOLUTION TO ENACT
A CHARTER FOR THE
~~REGION-D~~ HIGH COUNTRY COUNCIL OF GOVERNMENTS

Whereas, Article 20 of Chapter 160A authorizes any two or more municipalities and counties to create a regional council of local officials with such powers as are specified in the creating resolution or amendments thereof; and

Whereas, the governing bodies of the Counties of Alleghany, Ashe, Wilkes, Watauga, Avery, Mitchell, and Yancey have expressed an interest in the creation of a regional council of local officials; and the governing bodies of their local governmental units finds that it would be in the best interest of the citizens of this area to join together in the creation of such a regional council of local officials; and

Whereas, a regional council of local officials would benefit the governmental units participating in such a council, would provide a forum in which the participating officials might study and discuss community problems of mutual interest and concern and could lead to making of recommendations for consideration by the participating local governing bodies.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Alleghany, Ashe, Watauga, Wilkes, Avery, Mitchell, and Yancey Counties, that there be formed a regional council of local officials to be designated ~~Region-D~~ High Country Council of Governments with the charter of said council being as follows:

CHARTER OF THE ~~REGION-D~~ HIGH COUNTRY COUNCIL OF GOVERNMENTS

ARTICLE I

Section 1. Name of Council

The name of the regional council of local officials hereby created is the ~~Region-D~~ High Country Council of Governments. Hereinafter referred to as the "Council."

Section 2. Membership

- a) Membership in the Council shall consist of the ~~e~~Counties of Alleghany, Ashe, Wilkes, Watauga, Avery, Mitchell, and Yancey upon adoption of this concurrent resolution. Thereafter, membership shall be allowed to any municipality ~~in~~ ~~Region-D~~ within the geographic region of the Council upon adoption by the applicant of a resolution committing to joining the Council as it is then constituted and operating. ~~identical to the one under which the Council is then operating.~~ The governing body of the applicant shall select one of its elected members to be ~~a~~ an Executive Board member of the Council. Membership shall

~~municipal representative being selected by caucus of their members at the annual meeting of the Council Board.~~

~~2. One elected official from each member municipality within each county.~~

~~3. One representative of minority organizations within the Region.~~

~~The maximum number of Executive Committee members is fifteen.~~

c) **Voting:**

1. Voting on ~~both the Council Executive Board and the Executive Committee~~ shall be on the basis of one vote per member of the ~~Council Executive Board or Executive Committee~~ unless a ~~weighed~~ **weighted** vote is called for under the provision of subparagraph 2 hereunder.

2. A ~~weighed~~ **weighted** vote may be called for by any member of the ~~Council Executive Board or Executive Committee~~.

3. In ~~weighed~~ **weighted** voting, each **governmental representative** member of the Executive ~~Committee Board~~ is allowed one vote plus one vote for each 10,000 population or a fraction thereof represented.

d) **Quorum.** ~~60%~~ **50%** of the members of the ~~Council Executive Board~~ shall constitute a quorum at any regular or special meeting of the ~~Council Executive Board~~. The affirmative vote of a simple majority of the votes cast shall be necessary to act favorably on any matter.

Section 4. Purpose

The purpose of the Council shall be:

1. To serve as a forum for discussion of governmental problems of mutual interest and concern.

also be open to minority organizations ~~of Region-D~~ within the geographic region of the Council.

- b) Any participating governmental unit, or minority organization, may withdraw from the Council at the end of any Council fiscal year, after having given sixty (60) days' notice to that effect and sending a certified copy of ~~said a~~ resolution to ~~withdraw~~ to each of the other participating governmental units.

Section 3. Governing Structure

- a) ~~Council~~ Executive Board. ~~All~~ The members ~~of~~ delegated to the Council shall be collectively referred to as the ~~Council~~ Executive Board. Each member ~~government~~ shall select a member of their governing board ~~or representatives of minority organizations~~ as its representative on the ~~Council~~. Executive Board.

- ~~b) Executive Committee. The Executive Committee shall consist of the following:~~

- ~~1. One elected official from a municipality within each county with each county's~~

2. To develop and formalize policy recommendations concerning matters having an area-wide significance.
3. To promote inter-governmental cooperation.
4. To provide organizational machinery to ensure effective communication and coordination among the participating governmental units;
5. To serve as a vehicle for the collection and distribution of information concerning matters of area-wide interest;
and
6. To review upon request of a participating governmental unit applications of that unit for any grant-in-aid, federal, state or private.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with problems in a manner which is mutually satisfactory, and shall respect the autonomy of all local governments, within the ~~Region D~~ **High Country** area.

Section 5. Finance Matters

- a) ~~On or before the 15th of April each year, The Executive Director shall prepare and submit to the Executive Board each participating governmental unit a proposed budget for the next each fiscal year in accordance with North Carolina Law and other applicable regulations as amended from time to time. commencing July 1.~~
- b) The budget shall ~~include also set out~~ **include** ~~the share of membership dues proportionate share (in terms of percentage) of the budget to be borne by each participating governmental unit, based on the latest decennial census or the American Community Survey, whichever is most current.~~
- c) Upon approval of the budget by ~~all participating governmental units~~ **the Executive Board**, each participating governmental unit shall appropriate its share of the budget and shall forward to the ~~Council Treasurer~~ **Finance Officer** its share of the budget. All such appropriations shall be made in accordance with the ~~Municipal or County Fiscal Control Act~~ **Local Government Budget and Fiscal Control Act**, as may be appropriate. ~~The Council may designate a Council employee or with the agreement of the governing body involved, designate one of the City or county Accountants as the official Council Treasurer to perform the function of the City or County Accountant under the Municipal or County Fiscal Control Act insofar as post-budget approval or expenditures is concerned.~~

ARTICLE II

Section 1. Meetings

Regular meetings of the ~~Council~~ **Executive Board** shall be held ~~at least once annually.~~ ~~Regular meetings of the Executive Committee shall be held~~ **monthly unless determined from time to time to be not necessary.** ~~Special meetings of the Executive Committee shall be held~~

~~monthly.~~ Special meetings of the ~~Council of~~ Executive ~~Committee~~ Board may be called by the Executive Director, Chair, or by any three members of the ~~Executive Board~~ ~~Council of Executive~~ ~~Committee~~. At least five days written notice shall be given of any special meeting. ~~#~~ Such notice shall state the time, place, and purpose of the meeting.

Section 2. Annual Report

The ~~administrator~~ Executive Director shall prepare and submit an annual written report of the Council activities, including a financial statement, to the participating governmental units.

ARTICLE III

Section 1. Officers

At the first regular meeting of ~~each calendar year, and annually thereafter,~~ the Executive ~~Committee~~ Board shall elect a ~~chairman~~ Chair, ~~vice-chairman~~ Vice Chair, ~~s~~Secretary, and ~~t~~Treasurer to serve for one year or until their successors have been duly elected. ~~Any vacancy occurring in an office shall be filled for the unexpired term by the Council.~~ All officers shall be members of the Executive ~~Committee~~ Board. The Executive ~~Committee~~ Board may elect such additional officers as it finds to be necessary in the proper performance of its duties. ~~Board members elected as Chair or Vice Chair shall be limited to two consecutive terms. The Chair will rotate between county and municipal elected officials. If the Chair of the Board is a representative from a county, then the Vice Chair shall be a representative from a town; or if the Chair of the Board is a representative from a town, then the Vice Chair shall be a representative from a county.~~

Section 2. Duties of Officers

- a) The Chair shall preside at all meetings of the ~~Council and~~ Executive ~~Committee~~ Board and shall conduct said meetings in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought before the ~~Council of Executive~~ ~~Committee~~ Board. ~~and t~~The Chair shall have the same voting rights as the other members.
- b) The Chair may appoint such committees as ~~he~~ he/she finds to be necessary or desirable.
- c) The Vice Chair shall perform all the duties of the Chair in the absence of the Chair, or in the event of the inability of the Chair to act and shall perform such other duties as the Executive ~~Committee~~ Board may delegate to him or her.
- d) All other officers elected by the Executive ~~Committee~~ Board shall perform such duties as may be prescribed by the Executive ~~Committee~~ Board.

ARTICLE IV

Section 1. Powers, Duties and Responsibilities of the Council

The Council, within the limitations of funds and personnel provided by the participating governmental units, shall have the following powers, duties, and responsibilities:

- 1) To apply for, accept, receive, and disburse funds, grants, and services made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of government (whether or not a member of the Council), and any private or civic agency;
- 2) To employ personnel;
- 3) To contract with consultants;
- 4) To contract with the State of North Carolina, any other state, the United States of America, or any agency thereof, for services;
- 5) To study regional governmental problems, including matters affecting health, safety, welfare, education recreation, economic conditions, regional planning, and regional development;
- 6) To promote cooperative arrangements and coordinated action among its member governments;
- 7) To make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located;
- 8) Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern, subject to approval of the Executive ~~Committee~~ Board;
- 9) All other powers, duties, and responsibilities allowed or required by law.

ARTICLE V

Section 1. Executive Director

The Executive Director will be selected by ~~and shall serve at the pleasure of the Executive Committee Board of the Council.~~ The salary of the Executive Director will be set annually by the Executive ~~Committee~~ Board.

Section 2. Other Staff

Other staff ~~employees will be~~ ~~employed by~~ ~~will be~~ employees of the Council, to be hired, supervised, and subject to termination by the Executive Director ~~based upon qualifications for the position.~~ All employees, including the Executive Director, are employees of the Council.

ARTICLE VI

Amendments and Effective Date

All prior amendments to this Charter made by board vote, or resolution, or adoption, together with actions for or by the Council in reliance thereon, are hereby ratified and reaffirmed. This amended Charter, and any amendments hereto, ~~Amendments to the Charter~~ shall not become effective until adopted by two-thirds (2/3) of the participating governmental units ~~in the Region D Council of Governments~~ of the Council.

ARTICLE VII

Effective Date

~~— This Charter shall be in full force and effective from and after the date of its adoption by all initially named participating governmental units.~~