

Regular Session, October 4, 2010, 9:30 a.m.
Catawba County Board of Commissioners

Appointments

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Criminal Partnership Advisory Board	676	10/04/10
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Board of Commissioners

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Planning, Parks and Development

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The Catawba County Board of Commissioners met in regular session on Monday, October 4, 2010 at 9:30 a.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Lynn M. Lail and Commissioners Dan A. Hunsucker, and Barbara G. Beatty.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Dewey Harris, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Commissioner Barbara G. Beatty led the Pledge of Allegiance to the Flag.
3. Chair Barnes offered the invocation.
4. Commissioner Dan Hunsucker made a motion to approve the minutes of the Regular Meeting of September 20, 2010. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all present. At a later point in the meeting she recognized Charlotte Williams, member of the Hickory City Schools Board of Education.
6. Appointment to Fill Vacancy on the Board of Commissioners.
Chair Barnes explained that pursuant to General Statute 153A-27, if a vacancy occurs on the Board of Commissioners, the remaining members shall appoint a qualified person to fill the vacancy. Further, if the member being replaced was serving a four year term and the vacancy occurs later than 60 days before the general election held after the first two years of the term, the appointment is for the remainder of the unexpired term. To be eligible for appointment to fill the vacancy, a person must be a member of the same political party as the member being replaced and a resident of the same district as the member being replaced. The Board of Commissioners shall consult with the county executive committee of the appropriate political party before filling a vacancy but is not bound by the committee's recommendation.

Chair Katherine W. Barnes then nominated C. Randall Isenhower to fill the vacancy on the Board of Commissioners that occurred upon the resignation of Commissioner Glenn Barger, effective September 30, 2010. The Board voted unanimously to appoint Mr. Isenhower as Commissioner. Mr. Isenhower was then joined by his wife and parents and the Clerk to the Board administered the oath of office. Commissioner Isenhower then joined the Board on the dais and participated in the remainder of the Board meeting.

7. Public Comments for Items not on the Agenda:
Phil DiCasolo, retired President/CEO of the YMCA of Catawba Valley, came forward to update the Board on the issue of the lack of childcare this past summer, due to lack of funding. Mr. DiCasolo spoke to the Board on this issue at its June 7, 2010 meeting. Because childcare funding had been exhausted and no more dollars were expected from the State for this purpose, there was a wait list of 238 children for summer daycare. Corning Corporation and its employees donated the funds to provide 169 of these children with over 47,000 hours of childcare over the summer. Mr. DiCasolo stressed that the problem would worsen next summer, and alternatives and options should be sought over the next ten months to deal with these funding shortfalls. Chair Barnes assured Mr. DiCasolo that the Board shared his concerns and is always seeking solutions for these funding shortfalls.
8. Presentations:
 - a. Commissioner Beatty presented a Distinguished Public Service Award to Telecom Shift Supervisor Brian Drum, who was recently named the 2010 Supervisor of the Year by the North Carolina Chapter of the National Emergency Number Association. Mr. Drum's dedication to the

employees who work in the 911 Communications Center, and his leadership and reliability was recognized by this award. Mr. Drum thanked the Board for their support.

b. J. Anthony Rose, President and CEO of Catawba Valley Medical Center presented an update on a planned expansion of Catawba Valley Medical Center. The expansion includes the renovation and reconfiguration of the entire surgical suite, providing at least 600 square feet in each operating room to give optimal space for modern and future technology as well as intensive orthopedic surgeries. In addition, the renovated space will include a new Sterile Core area, with separate patient and staff access to the twelve operating rooms, a new decontamination area, equipment storage, an anesthesia work area, and expanded office and break areas. Additions and upgrades are also planned for the Central Energy Plant to address current and future utility needs. A new road and parking are complete. The surgery renovations and the Central Energy Plant project are expected to be completed in July 2012, with the Women's and Oncology Pavilion to be completed in March 2013. The Medical Center has made every effort to utilize all advantageous financing that is currently available and estimates savings to be in excess of \$1.6 million. Medical center staff have also stressed the use of construction companies based in Catawba County, with 30% of the Surgery and Central Energy Plant project and 16% of the Women's and Oncology Pavilion bids awarded to these companies.

Vice-Chair Lynn M. Lail inquired if the expansion would increase bed numbers but Mr. Rose stated the bed number would remain at its licensed cap of 258. Vice-Chair Lail commended Mr. Rose on the advantageous financing they had sought and Commissioner Beatty stated the Medical Center Board had spent many hours ensuring the most cost effective financing for this project. County Manager J. Thomas Lundy reminded all present that no local tax dollars were used on this project and it would be paid for by the Medical Center's operating funds.

9. Appointments:
Commissioner Hunsucker recommended the appointment of Bill Mixon to the pharmacist category on the Public Health Board for a first term. Mr. Mixon will succeed Thomas Richards who was not eligible for reappointment and Mr. Mixon's term will expire June 30, 2013. Vice-Chair Lail recommended the reappointment of Ed Neill for a third term and Scott Rhoney for a second term on the Catawba County Planning Board. These terms will expire December 31, 2013. Chair Barnes recommended the appointment of Commissioner Randy Isehower to the Mental Health Partners Board of Directors, the Juvenile Crime Prevention Council and the Finance and Personnel Subcommittee; the appointment of Vice-Chair Lail to the Social Services Board, the Community Service Block Grant Advisory Board and the Home and Community Block Grant Advisory Council and the appointment of Chair Barnes to the Catawba Valley Community College Board of Trustees, the Criminal Partnership Advisory Board and the Subdivision Review Board. These appointments will expire December 5, 2010. These recommendations came in the form of a motion and the motion carried unanimously.
10. Consent Agenda:
County Manager presented the following three items on the consent agenda:
a. A request for the Board to amend 2009 Urgent Repair Project Budget Ordinance to appropriate interest earned through the rehabilitation line item. Catawba County received a \$75,000 Urgent Repair Grant in February 2009. The County is allowed to earn interest on these funds received from the North Carolina Housing Finance Agency. During the last 18 months, \$449 in interest has been earned. These funds will help complete repairs needed for the last house obligated as the grant is completed. It is anticipated that 16 to 18 homeowners scattered throughout Catawba County will benefit from this grant. The following budget ordinance applies:

ORDINANCE# _____
AMENDMENT#1
CATAWBA COUNTY PROJECT BUDGET ORDINANCE
FOR THE 2009 URGENT REPAIR GRANT

The following revenues are anticipated to be available to complete this Project:

Revenues

North Carolina Housing Finance Agency-URP

NCHFA-URP Grants Revenue	\$ 75,000
Interest Earned on Revenue	<u>\$ 449</u>
	\$ 75,449

Section 4. The following Expenditures are appropriated for the project:

Expenditures

North Carolina Housing Finance Agency-URP

Rehabilitation-URP	\$ 65,449
WPCOG Administration	<u>\$ 10,000</u>
	\$ 75,449

Adopted this the 4th of October, 2010.

b. A request for the Board to accept a \$20,000 Help America Vote Act Grant, administered by the North Carolina State Board of Elections. In the past, Catawba County has operated one-stop voting sites at the Highland Recreation Center at 1451 8th St. Dr., NE in Hickory, the Southwest Library at 2944 Highway 127 South in Mountain View, and the Sherrills Ford Fire and Rescue Headquarters at 4011 Slanting Bridge Road in Sherrills Ford, in addition to the Main Library at 115 West C Street in Newton. The grant funds will support operating the three additional sites for the November 2, 2010 General Election on a schedule approved by the Catawba County Board of Elections and the North Carolina Board of Elections. This grant may only be used for staffing cost at the additional sites. Other costs (approximately \$2,000) for paper, toner and other supplies will be paid from the Elections budget.

The following appropriations apply:

Supplemental Appropriation

110-140050-812600	Temporary Wages	\$ 20,000
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Revenue

110-140050-620160	HAVA Grant	\$ 20,000
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c. A request for the Board to waive the normally charged solid waste tipping fees for two 40-cubic yard waste containers for the Lake Hickory Association's participation in the Big Sweep lake cleanup in October, provided that each disposal adheres to North Carolina General Statutes and the County's recycling programs. The Lake Hickory Association and Lake Lookout Protective Association cooperate annually with the Big Sweep organization in North Carolina to remove litter from area lakes. The cleanup event will be held on October 2, 2010. Garbage Disposal Service will donate the cost of the containers and hauling to the Blackburn Landfill. A \$2 per ton State Solid Waste Disposal Tax will not be waived, and will be charged to Garbage Disposal Service as the hauler. This waiver of fees will expire on October 30, 2010.

The County will require that all materials banned from landfill disposal under North Carolina General Statute §130A-309.10(f), or other County recycling programs, be segregated from other garbage and recycled accordingly. If any or all loads of debris are found to contain more than 2% recyclable materials, the full disposal fee will be charged to the hauler. The waiver of disposal fees is applicable to any tires that may be collected, but special handling procedures for used tires are mandated by

the State. Tires cannot be mixed with other debris. They must be removed from the rims, contain no mud and stacked in the designated tire collection area at the Blackburn landfill. The \$2 per ton disposal tax is not applicable to used tires.

Chair Barnes asked if any Commissioner wished an item be considered separately from the consent agenda and none were requested. Vice-Chair Lail made a motion to approve the consent agenda. The motion carried unanimously.

11. Departmental Reports:

Tax:

A. Tax Administrator Mark Logan presented a request for the Board to adopt a Schedule of Values, Standards, and Rules for Catawba County's 2011 revaluation, as prescribed by North Carolina General Statute 105-317. Pursuant to a resolution adopted by the Board of Commissioners on September 4, 2007, Catawba County's next countywide revaluation will become effective on January 1, 2011. Catawba County has approximately 87,000 separate parcels of land which, under North Carolina law, must be appraised at 100% of market value, as of the effective revaluation date. To that end, Catawba County staff has worked for many months analyzing data derived from real estate sales, building cost data, and income and expense statements from income producing properties in the county. This has resulted in the creation of the proposed Schedule of Values, Standards and Rules that will be utilized, after it is approved by the Board of Commissioners, to generate market value appraisals for all real property in Catawba County. Individuals who buy and sell real estate in the open market establish the market value. Market value is not set by the Catawba County Tax Department.

Also included in the Schedule of Values is a special schedule for appraising eligible agricultural, horticultural and forest land at its "present use" value. This statewide schedule is formulated by the N.C. Department of Revenue. Properties whose owners qualify for "present use" assessment will receive two values: a market value mandated by law and a "present use" value. Property owners eligible for present use value must make an initial application in order to qualify.

Adoption of the proposed Schedule of Values is an important step in the revaluation process. Because of its importance, the Machinery Act of North Carolina requires the Board of Commissioners to only adopt it after holding a public hearing and then publicizing that it has done so. After the Schedule is adopted, property owners will have 30 days to challenge the Schedule of Values by appeal to the North Carolina Property Tax Commission. In accordance with North Carolina General Statute 105-317(c), the proposed Schedule of Values was formally presented to the Board at its September 7, 2010, meeting and the Board of Commissioners held a public hearing at its September 20, 2010, meeting, during which the Board received comments from the public on the proposed Schedule of Values. The Schedule is open for inspection at the Tax Assessor's office on the first floor of the Catawba County Government Center at 100-A Southwest Boulevard in Newton.

Once the Board adopts the Schedule of Values, a newspaper notice must be published stating that the Schedule of Values has been adopted and that property owners have 30 days from the date of the first publication to challenge the Schedule of Values by appeal to the North Carolina Property Tax Commission on grounds that the Schedule of Values does not adhere to the appropriate statutory valuation standard (that it will produce values that are too high, too low, or inconsistent). The North Carolina Property Tax Commission has the power to order the Board of Commissioners to revise the Schedule of Values if they do not adhere to the statutory valuation standard. The North Carolina Property Tax Commission's decision may be appealed to the North Carolina Court of Appeals. Property owners will have until Wednesday, November 3, 2010 to challenge the Schedule of Values. Chair Barnes clarified that this action did not set a tax rate and Vice-Chair Lail inquired how many people had been to the tax office to read the schedule and Mr. Logan indicated two people had done so. Vice-Chair Lail made a motion to adopt the Schedule of Values. The motion carried unanimously.

B. Tax Administrator Mark Logan requested the Board grant the Catawba County Tax Administrator the authority, on an individual basis, to allow extensions for listing personal property. Businesses and corporations whose business year ends on December 31 of each year, and some individuals, can have difficulty completing their listing abstracts by January 31 of each year. This is due to the fact that they are unable to calculate an inventory that is taken on December 31 and submit this figure to the Tax Administrator. North Carolina General Statute 105-307 allows the Board to grant individual extensions of time for the listing of personal property upon written request and for good cause shown. The request must be filed with the Tax Administrator no later than the ending date of the regular listing period. This means a letter must be written and postmarked no later than January 31, 2011 and this letter must provide the reason the extension is being requested. Extensions granted on an individual basis cannot extend beyond April 15, 2011. Commissioner Randy Isenhower asked what defined "just cause" and Mr. Logan indicated that this usually occurred when a business had been unable to complete the necessary inventory by the January 31 deadline. Commissioner Beatty made a motion to grant the Tax Administrator this authority. The motion carried unanimously.

C. Tax Collector Ona Scruggs presented a request for the Board to approve the Fiscal Report and Settlement of 2009 Taxes. In accordance with North Carolina General Statutes, the Fiscal Report and Settlement of 2009 taxes for the fiscal year beginning July 1, 2009 and ending June 30, 2010 requires Board approval. The report reflected that \$76,789,019 (97.30%) in real estate and personal property tax, and \$5,230,011 in motor vehicle tax has been collected as of June 30, 2010, with \$2,132,124 outstanding in real estate and personal property tax. The following report applies:

FISCAL YEAR JULY 1, 2009 TO JUNE 30, 2010

CATAWBA COUNTY 2009 TAX YEAR

REAL ESTATE / PERSONAL PROPERTY TAXES – COUNTY AND FIRE DISTRICTS

ADJUSTED LEVY as of 6/30/2010	-----	\$78,921,143
BALANCE OF A/R as of 6/30/2010	-----	\$ 2,132,124
COLLECTIONS as of 6/30/2010	-----	\$76,789,019
PERCENTAGE COLLECTED AS OF 6/30/2010	-----	97.30%

I, Ona Scruggs, do hereby affirm that this is a true and accurate report concerning the tax levy of Catawba County, North Carolina, for Fiscal Year 2009/2010, 2009 tax year.

This is the 22nd day of September, 2010.

Ona Scruggs
Tax Collector, Catawba County

NORTH CAROLINA, CATAWBA COUNTY

I, Kay M. Bowman, Notary Public, do hereby certify that Ona Scruggs personally appeared

before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal, this the 22nd day of September, 2010.

Notary Public: _____

COLLECTIONS FROM OTHER SOURCES

Real and Personal Property Taxes		
Collected 2009 --- County and Fire Districts		\$76,789,041.67
Interest --- 2009 and Prior Years		\$ 397,169.71
Prior Years 1999-2008 --- Principal - County & Fire		\$ 1,320,810.12
Vehicle Tax		
Collected 2009 --- County & Fire Districts		\$ 5,230,011.86
Prior Years 1999-2008 --- Principal – County & Fire		\$ 778,052.08
Interest on Vehicle Tax --- 2009 and Prior Years		\$ 105,687.44
Prepaid tax Distribution on 2010 County Tax		\$ 226,835.64
NSF Check Charges		\$ 6,361.64
Garnishment & attachment fees		\$ 33,605.51
Privilege Licenses		\$ 22,765.00
Gross Receipts Tax--- (Tax on Rental Vehicles)		\$ 74,109.57
Gross Receipts Tax--- (Tax on Heavy Equipment)		\$ 3,793.93
Fees for Deed and Map Copies		\$ 5,769.66
*Municipal Collection Charges:		
Cities @ \$3.64 / bill and \$3.17 bill Out of County		\$ 162,164.32
Cities Fees of 1 1/2% on Auto Tax Collected		\$ 34,220.10

*MUNICIPAL COLLECTION CHARGES

Brookford	314	Bills	x	\$3.64	=	\$ 1,142.96
Catawba	617	Bills	x	\$3.64	=	\$ 2,245.88
Claremont	1,138	Bills	x	\$3.64	=	\$ 4,142.32
Conover	5,210	Bills	x	\$3.64	=	\$ 18,964.40
Hickory	21,939	Bills	x	\$3.64	=	\$ 79,857.96
** (Burke County)	106	Bills	x	\$3.17	=	\$ <u>336.02</u>
..	\$ 80,193.98					
Long View	2,570	Bills	x	\$3.64	=	\$ 9,354.80
* (Burke County)	446	Bills	x	\$3.17	=	\$ <u>1,432.84</u>
.						\$ 10,768.62
Maiden	2,222	Bills	x	\$3.64	=	\$ 8,088.08
Newton	7,222	Bills	x	\$3.64	=	\$ 26,288.08
TOTALS	41,784	Bills				\$ 162,164.32

* \$ 3.17 represents the cost of collection for each bill.

* \$ 0.47 represents the cost of IT data processing for each bill.

** No data processing was done by Catawba County's ITC for these Burke County Bills.

2009 COLLECTIONS INFORMATION BY CITY AND TOWN
Real Estate and Personal Property

	LEVY	COLLECTED	OUTSTANDING BALANCE	PERCENT
Brookford	\$ 96,366	\$ 89,581	\$ 6,785	92.96%
Catawba	316,892	282,035	34,857	89.00%
Claremont	1,601,270	1,579,185	22,085	98.62%
Conover	4,009,595	3,883,028	126,567	96.84%
Hickory	21,627,941	21,063,733	564,208	97.39%
Hickory/ Burke County	373,178	332,504	40,674	89.10%
Long View	966,493	903,492	63,001	93.48%
Long View/ Burke County	132,535	126,849	5,686	95.71%
Maiden	1,506,733	1,479,617	27,116	98.20%
Newton	4,832,352	4,720,495	111,857	97.69%

Vehicle Collections

	PRINCIPAL	INTEREST	TOTAL
Brookford	\$ 14,147	\$ 108	\$ 14,255
Catawba	16,475	151	16,626
Claremont	40,890	231	41,121
Conover	191,818	1,231	193,049
Hickory	1,129,128	6,857	1,135,985
City tag fees	120,894	960	121,854
Long View	56,141	575	56,716
Maiden	56,660	625	57,285
Newton	225,167	2,356	227,523

STATUS OF COLLECTION PERCENTAGE AS OF JUNE 30, 2010

Fiscal year 07/01/08 thru 06/30/09
Tax Year 2008

Adjusted Levy	\$77,687,481
Collections	76,760,992
Outstanding Balance (Real Estate & Personal Property)	926,489
Percentage Collected	98.81%

Fiscal Year 07/01/07 thru 06/30/08
 Tax Year 2007

Adjusted Levy	\$74,914,171
Collections	74,519,729
Outstanding Balance (Real Estate & Personal Property)	394,442
Percentage Collected	99.47%

Commissioner Isenhower asked if bankruptcies were being pursued for outstanding taxes and Ms. Scruggs said they were pursuing these and complimented the Legal Department's paralegal, Cari Burns, for her efforts in the collection of unpaid taxes. Commissioner Hunsucker made a motion to accept this report and the motion carried unanimously.

12. Other Items of Business:

a. Assistant County Manager Lee Worsley presented a request for the Board to amend its list of proposed legislative goals submitted to the North Carolina Association of County Commissioners (NCACC) for consideration during the Association's 2011-12 legislative goals process. On September 9, 2010, Board Chair Kitty Barnes submitted an initial set of goals on behalf of the Board for the consideration of NCACC. Since that date, three additional legislative items have surfaced and the Board was requested to approve the addition of the following goals to their submittal of goals for consideration by the NCACC:

1) retain the NCACC's 2009-10 biennium goal of retaining the financial incentive for counties to be "electing counties", for funding and programs of Social Services;

2) support a portion of Nash County's legislative goal regarding runoff elections that states, "support legislation to provide less expensive alternatives for run-off elections, such as ranking choices in the general election (first, second, third...)".

3) Support submitted legislative goals of Nash, Rutherford and Warren Counties regarding high speed Internet. In supporting these goals, it is important that the federal definition of the term "broadband" not be used. This definition does not provide sufficient Internet speeds to accommodate economic development and job creation needs in the county. Nash County's submitted goal stated, "seek legislation to permit counties to engage in cable/broadband". Rutherford County's submitted goal stated, "support legislation and funding that provides solutions to ensure that all North Carolina citizens have access to broadband service approaching 100 MB to the home by the year 2020". Warren County's submitted goal stated, "support funding for last-mile broadband solutions to increase accessibility and options for Internet access in rural areas".

Vice-Chair Lail made a motion to amend the Board goals as requested. The motion carried unanimously.

b. County Manager J. Thomas Lundy requested the Board consider cancelling its October 18, 2010 meeting, and its accompanying subcommittee meetings, due to a lack of items requiring Board action at that time. Commissioner Hunsucker made a motion to cancel these meetings. The motion carried unanimously.

13. Attorney's Report:
a. County Attorney Debra Bechtel requested the Board consider adopting a "Code of Ethics for the Board of Commissioners of Catawba County, North Carolina". North Carolina General Statute 160A-86 mandates that local governing boards adopt a code of ethics by January 1, 2011. The Code of Ethics states that the purpose of the Code is to "establish guidelines for ethical standards of conduct for Board members and to provide guidance in determining what conduct is appropriate in particular cases". The following Code applies:

**CODE OF ETHICS FOR THE
BOARD OF COMMISSIONERS OF
CATAWBA COUNTY, NORTH CAROLINA**

PREAMBLE

WHEREAS, the proper operation of democratic government requires public officials be independent, impartial and responsible to the people; and

WHEREAS, as elected local government officials we are charged with upholding the trust of the citizens of the County of Catawba, North Carolina and with obeying applicable laws; and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing entities to adopt a code of ethics.

NOW THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners, acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, do hereby adopt the following Code of Ethics to guide the Board in its lawful decision-making.

CODE OF ETHICS

Purpose. The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for Board members and to provide guidance in determining what conduct is appropriate in particular cases. The Code should not be considered a substitute for the law or for a Board member's best judgment.

Section I. A Board member shall obey the law.

Board members should take care to obey all laws that apply to their official actions as Board members. Further, Board members shall be guided by the spirit as well as the letter of the law in whatever they do.

The Board shall endeavor to keep itself up-to-date, through its attorney or other sources, of new or ongoing legal or ethical quandaries or difficulties that they may face in their official positions.

Section II. A Board member need uphold the integrity and independence of his or her office.

Board members should act with integrity and with independence from improper influence as they exercise the functions of their offices. Further, Board members should use their best judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner. They should be self-governing and not subject to improper influence, while at the same time being able to consider the opinions and ideas of others.

Board members should recognize they are part of a larger group and should act accordingly. They should respect their office and not behave in ways that reflect on it badly. They should treat other Board members and the public with respect and should, even if they disagree, honor the opinions of others. Finally, members should recognize that they are not generally authorized to act on behalf of the Board since the Board must take official action as a body.

Section III. A Board member need avoid impropriety in the exercise of his or her official activities.

Board members should avoid impropriety in the exercise of their official duties and their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this Board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the Board member's action would conclude that the action was inappropriate.

If a Board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the County Attorney as well as consider publicly disclosing the facts of the situation and the steps taken to resolve it.

Section IV. Board members must diligently perform the duties of his or her office.

Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the Board has authority.

Board members should be willing to bear their fair share of the Board's workload. To the extent appropriate, they should be willing to put the Board's interest ahead of their own.

Section V. A Board member should conduct the affairs of the Board in an open and public manner.

Board members should conduct the affairs of the Board in an open and public manner. They should comply with all applicable laws governing open meetings and public records recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to Board members or their employees.

In order to ensure strict compliance with the laws concerning openness, Board members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the Board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Section VI. Board members shall attend ethics education training.

All members of the Board of Commissioners shall receive a minimum of two clock hours of ethics education within twelve months after initial election or appointment to the office, and again within twelve months after each subsequent election or appointment to the office in accordance with N.C.G.S. § 160A-84. The ethics education shall cover laws and principles that govern conflicts of interest and ethical standards or conduct at the local government level. The ethics education may be provided by various qualified sources, including the North Carolina County Commissioners Association and UNC School of Government, or other qualified sources of the Board's choosing. The Clerk to the governing Board shall maintain a record verifying receipt of the ethics education by each member of the Board.

ACCEPTANCE

Accepted by the Board of Commissioners for and on behalf of Catawba County, North Carolina, this 4th day of October, 2010.

The Board's required Ethic Training was scheduled for November 15, 2010 at 4:00 in the Second Floor Meeting Room of the Government Center.

Commissioner Hunsucker made a motion to adopt the Catawba County Code of Ethics. The motion carried unanimously.

b. County Attorney Debra Bechtel requested the Board consider moving into closed session pursuant to General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege. No action was anticipated when the Board returned to open session. Commissioner Beatty made a motion to move into closed session. The motion carried unanimously. The Board moved into closed session at 10:50 a.m.

14. Manager's Report. None.

15. The Board returned to open session at 11:20 a.m. No action was taken. Commissioner Hunsucker made a motion to adjourn at 11:20 a.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk