

MINUTES OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
NOVEMBER 15, 1996 - 4:00 P.M. CALLED MEETING
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

PRESENT: J. Newton Cohen, Chairman
Jim Neely, Vice-Chairman
Todd Arey, Member
Steve Blount, Member

The County Manager, Clerk to the Board and County Attorney were also present. Chairman Cohen called the meeting to order and gave the invocation.

Chairman Cohen a memorandum from Tom Webb addressed to Tim Russell, County Manager, Rowan County Citizens and Commissioners which read as follows:

"It has been a great privilege to serve Rowan County as a Commissioner for the past 6 years. I want to take this opportunity to thank all of you for the support you have shown during the past trying year. It is with regret, that I respectfully resign my position as Rowan County Commissioner, effective immediately. It is my sincere hope that Rowan County will continue to progress forward with the leadership of the new board."

Chairman Cohen then declared a vacant seat on the Board of Commissioners and asked Attorney John Holshouser to instruct the Board on the process to move forward in filling the vacancy. Mr. Holshouser said that the General Statutes stated that the Board must consult with the political party of the resigning member and the County should send a letter requesting input from the party for filling the vacancy. Chairman Cohen then had Mr. Russell read a draft letter addressing this issue which read as follows:

*"Ms. Faye Porter, Chair
County Executive Committee*

Rowan County Republican Party
129 Pecan Lane
Salisbury NC 28146

Dear Ms. Porter:

The Board of Commissioners has received notification through a letter of resignation from Mr. Thomas Webb of his intention to resign from the Rowan County Board of Commissioners. His letter of resignation was effective on November 13, 1996 upon his plea of guilty to a felonious charge in the United States District Court.

In accordance with the rules outlined in the North Carolina General Statutes, the Board wishes to proceed with an appointment to fill the unexpired term of Mr. Webb through December 6, 1998. G.S. 153A-27 provides that "The board of commissioners, or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling a vacancy, but neither the board nor the clerk of the superior court is bound by the committee's recommendation."

The General Statutes also requires that "To be eligible for appointment to fill a vacancy, a person must (i) be a member of the same political party as the member being replaced, if that member was elected as the nominee of a political party, and (ii) be a resident of the same district as the member being replaced, if the county is divided into electoral districts" (the latter condition is not applicable in Rowan County).

Therefore, the Board formally requests that the Rowan County Republican Party Executive Committee recommend possible candidates for the purpose of filling the unexpired term of Mr. Webb's seat until December 6, 1998. The Board anticipates making a formal decision at a special called meeting on Monday, November 25, 1996 at 4:00 P.M. Therefore, the Board would appreciate your recommendation being forwarded to the Clerk To The Board's Office by 12 Noon, Monday, November 25, 1996.

If we can provide additional assistance, please let us know.

Sincerely,

J. Newton Cohen, Chairman"

Commissioner Neely stated he would like to give the committee until November 20th. Commissioner Arey stated that he felt the time constraints were reasonable and moved to accept Mr. Webb's resignation and to approve the letter to the republican party to be signed by the chairman. Commissioner Neely seconded and the motion carried.

There being no further business, Commissioner Arey moved to adjourn the meeting until Monday November 25, 1996 at 4:00 p.m. at which time the Board would consider the Republican recommendation. Commissioner Blount seconded and the motion carried.

Respectfully Submitted,

Kelly Dickinson, Clerk to the Board