

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Special Session on **Tuesday, September 29, 2020** at 6:00pm in City Hall Courtroom and by Zoom with Mayor Pro Tem Bray presiding. Commissioner Haiges gave the invocation with the recitation of the Pledge of Allegiance following.

**ELECTED TOWN OFFICIALS PRESENT:** Cindy Bray, Curtis Brown, Bill Haiges, Thomas “Chip” Price, and Tony Siler, Zoom: Lewis Fadely

**ELECTED TOWN OFFICIALS ABSENT:** John Grimes

**TOWN STAFF PRESENT:** Town Manager Roy Lynch, Attorney William Morgan, and Town Clerk Jenifer Johnson Zoom: Human Resources Director Nancy Darden, Finance Director Tina Stroupe

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Lynch shared an updated agenda with the Board of Commissioners.

***A motion to approve the agenda as amended was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.***

**OLD BUSINESS**

**Discussion of Rules and Procedures for the Appointment of the Vacant Board of Commissioners Seat for District 2**

Morgan shared the School of Government Rules and Procedures for the nomination-and-ballot method. In an open meeting, board members would nominate citizens to fill the vacancy. (Or the board could decide that everyone who has filled out an application is to be considered a nominee.) Then, each board member would vote for the person he or she would like to have filled the vacancy. A person who receives a majority of the votes would be selected to fill the vacancy. If no one receives a majority, then those who receive the fewest votes should be dropped from consideration, so that the voting is between the front-runners. In using the nomination-and-ballot method, the board must decide beforehand whether a majority will be required to fill the vacancy, and, if so, how the lowest vote-getters will be removed for subsequent rounds of voting, if necessary. On this last point, the rules might say, for instance, that after the first round of votes, all candidates who receive zero votes would be removed. The rules might then say that after the second round, if necessary, all candidates but two will be dropped so that the third round is between the two highest vote-getters.

Morgan stated that It is necessary to determine which method will be used before the discussion of particular candidates has begun. If the nomination-and-ballot method is to be used, it is necessary to set the rules for removing low vote-getters at the very beginning.

Morgan stated that under this method, the rules may say that members are to mark their ballots secretly, or that they vote openly. But even if the rules say that members mark their ballots secretly, the ballots must contain the members’ names so that when the vote is counted the minutes will show that council member Jones voted for Tom Smith or for Mary Wuycik. That is, the marking of the ballot can be secret, but the announcement of the vote must be public and the ballots themselves are public. G.S. 143-318.13(b).

Morgan shared the following Rules Draft:

1) Following the completion of all interviews of those qualified citizens who have submitted written interest in being considered to fill the subject vacancy, and upon the majority vote of the Board of Commissioners, the Siler City Board of Commissioners will enter into the nomination-and-ballot process for the selection of the successful candidate to fill the District 4 vacancy. For the purposes of this process, all candidates shall be considered to be "nominated".

2) Each member of the Board of Commissioners will be provided multiple ballot forms. Each ballot form shall contain the name of the member of the Board to which the ballot form is issued. All votes cast during this process shall be a matter of public record, though ballots will be marked secretly.

3) First Round: During the first round of voting, each member of the Board of Commissioners shall secretly demarcate his/her ballot to clearly indicate the name of one candidate from amongst those names eligible to receive votes on this matter. All ballots will then be handed into and publicly read aloud by the Mayor and recorded by the Town Clerk. Those candidates receiving zero votes shall be dropped from consideration for the next round of voting. If no candidate received zero votes then all candidates except the two candidates receiving the greatest number of votes shall be removed from consideration for the next round of voting, then skip to number 5 below, "Third Round".

4) Second Round: During the second round of voting, each member of the Board of Commissioners shall secretly demarcate his/her ballot to clearly indicate the name of one candidate from amongst those names eligible to receive votes after the first round of voting. All ballots will then be handed into and publicly read aloud by the Mayor and recorded by the Town Clerk. All candidates except the two candidates receiving the greatest number of votes shall be removed from consideration from the next round of voting.

5) Third Round: During the third round of voting, each member of the Board of Commissioners shall secretly demarcate his/her ballot to clearly indicate the name of one candidate from amongst those names eligible to receive votes after the first and second rounds of voting. All ballots will then be handed into and publicly read aloud by the Mayor and recorded by the Town Clerk. The candidate receiving a simple majority of votes of the members of the Board of Commissioners shall be named as the successful candidate to fill the subject Board of Commissioner seat vacancy.

6) Subsequent Rounds: In the event of a tie between the final two candidates, the Board of Commissioners shall conduct additional rounds of voting in the ballot method format until one of the two final candidates receives a majority vote of the members of the Board of Commissioners. Each subsequent round of voting shall be preceded by a majority vote of the Board of Commissioners to enter into another round of voting. Discussion on relevant matters such as qualifications of each of the remaining candidates is permissible between voting rounds.

Morgan shared the following notes:

Note 1: In the event that the First Round does not produce candidates with zero votes and does not produce a count resulting in two top vote-getters, then the following procedure shall be exercised. Each member of the Board of Commissioners shall secretly demarcate his/her ballot to clearly indicate the names of the top two candidates he/she desires. All ballots will then be handed into and publicly read aloud by the Mayor and recorded by the Town Clerk. The two candidates receiving the highest number of votes will then proceeded to the next round of votes, which will follow from step 5, "Third Round".

Note 2: In the event that three consecutive rounds of votes are conducted resulting in an equal number of votes cast by the members of the Board of Commissioner for two or more candidates, and then the members of the Board of Commissioners may elect to entertain a motion for one of the subject final candidates. If the vote of such a motion, as seconded, results in a tie amongst the members of the Board of Commissioners, the Mayor shall cast a vote to decide the matter.

***A motion to approve the Rules and Procedures as presented was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.***

Interviews

The Board of Commissioners asked a variety of questions of the following individuals that submitted letters of interest for the District 2 Board of Commissioners seat. Each individual was scheduled for a 30-minute time allotment:

Norma Boone, 701 Siler Street, Siler City

Travis Patterson, 314 Trinity Street, Siler City

Albert Reddick, 328 Martin Luther King, Jr Blvd, Siler City

Discussion of Ballot Process

Morgan stated as presented and approved in the rules and procedures the Board of Commissioners elected to use the nomination-and-ballot method, therefore the Board of Commissioners would need to go into ballot format.

***A motion to go into ballot format was made by Commissioner Brown, seconded by Commissioner Siler and unanimously approved.***

Nominations

***A motion to nominated Norma Boone, Travis Patterson, and Albert Reddick to the vacant District 2 Board of Commissioners seat was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.***

District 2 Vote By Ballot

The Town Clerk handed the first ballots with each of the three candidate's names to the Board of Commissioners. Each Board member then marked their ballots and handed them to Attorney Morgan. Morgan read each ballot aloud with the Town Clerk keeping a tally of the votes. The following votes were cast by the Board of Commissioners on the first round:

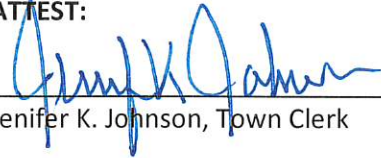
<b>Candidate</b>	<b>Number of Votes</b>	<b>Commissioners</b>
Norma Boone	6	Mayor Pro Tem Bray, Commissioner Brown, Commissioner Fadely, Commissioner Haiges, Commissioner Price, Commissioner Siler
Travis Patterson	0	
Albert Reddick	0	

**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 7:43pm.

  
Cindy B. Bray, Mayor Pro Tempore

**ATTEST:**

  
Jenifer K. Johnson, Town Clerk

