

Resolution # _____

RESOLUTION TO APPROVE THE BONDING OF COUNTY OFFICIALS

- WHEREAS, North Carolina General Statutes § 105-349(c) requires a tax collector to provide a performance bond in such amount as the governing body may prescribe;
- WHEREAS, NCGS §159-29(a) requires the finance officer to provide a performance bond with sufficient sureties in an amount to be fixed by the governing board fixed by the governing board which may not be less than the greater of the following: (1) Fifty thousand dollars (\$50,000); or (2) an amount equal to ten percent (10%) of the unit's annually budgeted funds, up to one million dollars (\$1,000,000);
- WHEREAS, NCGS §159-29(b) requires each officer, employee or agent of a local government who handles or has in his custody more than one hundred dollars (\$100) of the unit's funds at any one time to provide a performance bond in an amount to be determined by the governing board;
- WHEREAS, NCGS §159-29(c) authorized a local government to adopt a system of blanket faithful performance bonding as an alternative to individual bonds;
- WHEREAS, this Board is of the opinion that it is more efficient and economical and in the best interest of the County to have a system of blanket bonding rather than individual bonds and to include in the blanket bond coverage for risks not protected against by the individual bond for elected officials, finance officers and tax collectors;
- WHEREAS, NCGS §161-4 requires every register of deeds to provide a performance bond with sufficient surety to be approved by the board of county commissioners, in the sum of not less than \$10,000 nor more than \$50,000;
- WHEREAS, NCGS §162-8 requires the sheriff to provide a performance bond in an amount determined by the board of county commissioners, but shall not to exceed \$25,000;
- WHEREAS, NCGS §58-72-55 requires the clerk of the board of commissioners to record in the proceedings the names of those commissioners who are present at the time of approval of official bonds and who voted for such approval; and
- WHEREAS, NCGS §58-72-55 further provides that any commissioner may cause their written dissent to an official bond to be entered into the records of the board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That this Board hereby accepts and approves bonds for public officials as follows:
 - a. Jennifer Lea Pike, Tax Collector \$100,000.00 with Cincinnati Insurance Company;
 - b. Donald P. Warn, Finance Director \$1,000,000.00 with Cincinnati Insurance Company;
 - c. Andrew Mark Reisinger, Register of Deeds, \$10,000.00 with Cincinnati Insurance Company;
 - d. Quentin Edward Miller, Sheriff, \$20,000.00 with Western Surety Company; and
 - e. Blanket bond covering all officers, employees and agents \$250,000.00 with Travelers Casualty & Surety Co. of America.
2. That pursuant to NCGS 58-72-55, the Clerk is hereby instructed to record the names of all Commissioners present at this meeting and who voted in favor of this resolution.
3. That pursuant to NCGS 58-72-55, any Commissioner who votes against this resolution may cause their written dissent to be entered into the record of the Board.
4. All acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
5. Any prior resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.
6. That this resolution is effective upon adoption.

This the 5th of December, 2022.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney