

## **General Rules of Order for Boards and Commissions:**

The following general rules of order shall apply to all boards. The Planning Commission and the Board of Adjustment, and other quasi-judicial boards as may exist from time to time, may vary the terms of these General Rules of Order as appropriate or necessary by adopting board specific rules to meet the special requirements of quasi-judicial boards.

### **1. Meetings**

Each December council adopts a comprehensive meeting schedule for all City public bodies. Once adopted, the meeting schedule is posted on the City's website and bulletin board. Appropriate public notice, as required by law, will be given for any special meeting or work session that is not included on the regular meeting schedule.

Special meetings of a board or commission created and established by ordinance of the city council may be called by the chairman, or two members of the board, by notice given either verbally or in writing and delivered personally to each member or left at his residence not less than forty-eight hours prior to the time for such meetings. In addition, the board or commission will notify the city clerk and staff designee at least 72 hours in advance in order for a written notice of the special meeting to be prepared including the reason of the special meeting. Such notices shall be posted at least forty-eight hours before the time of the special meeting.

The chairman or in his absence vice-chairman working with city staff may cancel a meeting. In addition, the board or commission will notify the city clerk and each member in writing.

### **2. Attendance**

For members to be eligible for reappointment, attendance records must show that they have participated in seventy (70) percent of all scheduled meetings in a calendar year unless absence was due to personal injury or sickness. If a member has missed three (3) meetings, notification will be given of their possible replacement. At any time during a term, the city council may be petitioned to terminate the appointment of those members who have failed to meet the above requirement.

### **3. Agenda**

The purpose of the agenda is to organize materials to be considered and to give members an opportunity to study the issues before the meeting. Board agendas are prepared by the staff liaison, chair, or both, based upon information received from council, staff, and/or board members.

Items shall be placed on the agenda according to the order of business. The order of business for a regular meeting agenda follows. By unanimous consensus or majority vote of the board, agenda items may be considered in an order different from that shown on the agenda.

- Call to Order: The presider will always begin the meeting at the appointed time with a quorum present;

- Roll Call: For the benefit of any member or member of the public participating, the presider will conduct roll call to determine the members present and absent;

- Adoption of agenda: The board will adopt the agenda as is, or with modifications by motion, second and vote of majority;
- Swearing in of witnesses, if required: A City staff member who is a Notary Public may perform this duty in addition to other persons granted this authority by state law or other governing documents;
- Approval of previous meeting minutes: The board will adopt the minutes as is, or with modifications by motion, second and vote of majority;
- Action and discussion items, reports, information items (including any public hearings or public evidentiary hearings);
- Old/New Business: these items must be specifically identified on the agenda or added with the adoption of the agenda;
- Adjournment: The board shall adjourn meetings by motion in open session.

#### **4. Open Meetings Requirement**

All boards will adhere to the letter and spirit of the Open Meetings Law. Board members shall not deliberate, vote, or otherwise take action on any matter with the intention of making it impossible for persons attending a meeting of the board to understand what is being deliberated, voted, or acted on.

#### **5. Role of the Chair, Vice-Chair and Temporary Chair**

The appointed chair shall be entitled to vote on all matters and shall be considered a board member for all purposes, including the determination of whether a quorum is present.

The chairs shall have the following authority:

- To preside over public meetings of the board;
- To vote upon all measures before the board;
- To be counted for quorum purposes;
- To preserve order and decorum;
- To call a brief recess at any time;
- To adjourn in an emergency.

The chairs may also

- Rule motions in or out of order;
- Determine when a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- Answer questions of procedure.

Annually at the organizational meeting each board will elect from its membership a vice chair to serve in the chair's absence or in case of sickness of the chair or other causes which would prevent the chair from attending to his or her duties. The vice chair shall be entitled to vote on all matters and shall be

considered a board member for all purposes, including the determination of whether a quorum is present. When called upon to preside over meetings in the absence of the chair, the vice chair will have all authorities as the chair.

If both the chair and vice chair are absent from a meeting, the board will elect from among its members a temporary chair to preside at the meeting. The temporary chair shall be entitled to vote on all matters and shall be considered a board member for all purposes, including the determination of whether a quorum is present. When called upon to preside over meetings in the absence of the chair and vice chair, the temporary chair will have all authorities as the chair.

The chair as the meeting presider shall follow the principles below, which were taken from “Roberts Rules in Plain English”:

- “Be on time and start on time.”
- “Be organized. The presiding officer should have a detailed, well prepared agenda and stick to it.”
- “Be prepared. The presiding officer should be familiar with the procedural rules...”
- “Be a teacher. The presiding officer should keep the group working together by explaining procedure clearly and communicating the next order of business. If a motion is confusing, it is his [her] duty to clarify it. This may mean helping a member rephrase a motion.”
- “Be in control of the floor. The presiding officer should ‘assign’ the floor by recognizing those members who wish to speak by calling them by name. No other member may interrupt or call out remarks without being out of order. The presiding officer should remind such a member that the floor has been assigned and request that his [her] remarks be held until the floor has been assigned to him [her]. In addition, private discussion between members while another has the floor is out of order and disruptive members should be reminded of this rule.”
- “Be impartial. The presiding officer should impartially call on members wishing to speak. He [she] should give members on both sides of an issue an opportunity to speak...”
- “Be composed. The presiding officer should remain calm and objective, keeping the meeting moving.”
- “Be precise. The presiding officer should always restate the motion before taking a vote. After taking the vote, he [she] announces the result of the vote by interpreting the action taken. The presiding officer should always be certain about the results of a voice vote. He [she] may retake the vote by requesting a show of hands on his [her] own accord.”
- “Be focused. The presiding officer should not allow irrelevant discussion. Restate the question and, if necessary, directly request the member to ‘confine remarks to the pending question’.”
- “Be temperate. The presiding officer should use the gavel sparingly, tapping it once to open and close the meeting.”

## **6. Action by boards**

Actions of the boards shall proceed by motion, unless agreed to proceed by unanimous consensus. Seconds are required to all motions. Only one motion at a time shall be allowed. Motions may be

withdrawn at any time prior to a vote. Motions shall be adopted by a majority of the votes cast unless otherwise required by these rules or by the laws of North Carolina. A majority is defined as more than half of the board members present for the vote.

Every member of the board shall actively participate in voting unless excused by the remaining members in accordance with state law. A member who wishes to be excused from voting shall inform the chair, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters in which the member has a conflict of interest (as outlined in the North Carolina General Statutes and case law). In all other cases, a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present at the meeting shall be recorded as an affirmative vote. However, board members are encouraged to make their voting positions clear by verbalizing their votes rather than allowing their silence to represent an affirmative vote. If a vote is unclear to the chair, then it will be up to the chair to call for a roll call vote. For any voice vote that is not unanimous, the chair shall follow up and conduct a roll call vote.

#### **7. Public Hearings (if required)**

The boards shall follow all North Carolina laws and local ordinances with regard to legally required public hearings. The purpose of public hearings is to receive public input. The board members should not engage in conversation or debate with speakers during public hearings. The board will hold all questions and comments until after the public hearing is closed.

The following rules apply to public hearings:

1. Speakers must come to the podium to make their remarks;
2. Speakers should clearly state their names;
3. Speakers should be concise;
4. Speakers should avoid repetition;
5. Speakers may only speak once per public hearing;
6. Individuals should designate a spokesperson for large groups;
7. All speakers should provide their names and contact information to the staff person taking the minutes;
8. Speakers should provide the staff person who is taking the minutes with any documents or materials to be presented to the board;
9. Speakers should direct comments to the entire board and not to individual board members.

\*The Board of Adjustment, and any other quasi-judicial board, should adopt variations to these rules as required or appropriate for public evidentiary hearings.

#### **8. Debate/Discussion by Board Members**

Debate/discussion shall be allowed prior to requiring a motion and second. During the debate/discussion, the presider shall call on a member who has not spoken on the issue before recognizing someone who has already spoken. The Board of Adjustment may adopt variations to these provisions for public evidentiary hearings.

Board members should avoid personal remarks directed towards individual board members, individual staff members, and individual council members. The presiding officer shall politely rule all such remarks as out of order.

The board members shall follow the debate/discussion principles outlined in Policy Statement 143 Rules of Procedure for the Goldsboro City Council, reiterated below:

- “It is a good idea to begin your debate by telling the members which side you are speaking on...”
- “Organize your thoughts. Pay close attention to your delivery. Speak clearly and slowly, project your voice, and say it like you mean it. Organize your thoughts into two or three main points and communicate them during your debate time...Keep focused on the major reasons why you have taken your stand. Consider this as part of your meeting preparation.” It’s a good idea to bring your concise notes to the meeting with you and actually take notes during the meeting to help you frame your debate/discussion comments.
- “Only speak when called on” [by the presiding officer].
- “Direct all comments to the chair. Avoid directing comments to another member.”
- “Don’t be disruptive. Side conversations are not allowed. Neither is walking around the room in a manner that is disruptive to the meeting.”
- “You can make corrections. If you hear information that you know is inaccurate, you have the right to call attention to the inaccuracy and to have the accurate information shared with the group... this must be done politely.”

## **9. Minutes**

Generally, the minutes of all boards are considered public records. However, if the board’s session is closed, the minutes from the closed portion of the meeting may not become accessible by the public for a certain period of time, depending upon the circumstances and subject matter of the meeting. The public records laws should be relied upon in determining when all records, including minutes, are deemed public records. The staff member that is designated as the secretary or liaison to the board shall be considered the custodian of the minutes and should treat such documents as public record laws require.

The law requires that all minutes be “full and accurate”. The purpose of minutes is to provide a record of the actions taken by a board and not to provide a transcript of the discussions that occurred during the meeting. The minutes can also provide evidence on behalf of the board, that the board followed proper procedures in taking its actions. If no action is taken, the minutes may simply reflect that the meeting occurred, include the subject of the meeting and that no action occurred. It is not necessary to reflect the conversations and discussions of the board. The minutes should reflect motions made and seconds, identify the movants, dissenting votes, the general summary for the dissenting vote (or

minority opinion), and the order in which the items before the board are addressed. All minutes shall be in written form. Minutes should contain enough information to act as an official record of the action taken, they should serve as a guide to staff and council in describing what action, if any, is recommended by the board, and they should be sufficient to be submitted as legal evidence as necessary. It is not necessary to record all discussions, particularly those discussions upon which no action is taken. Minutes for closed sessions shall be kept in accordance with the law and should provide a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired.

The following is an outline which may serve as a template for the boards in the preparation of meeting minutes.

- Name/identity of the board;
- Date, time and location of meeting;
- Time meeting called to order;
- Names of board members in attendance, those absent, and those electronically participating;
- Statement of whether or not there is a quorum;
- Identification of subjects for consideration;
- Motions and seconds;
- Any conflicts of interest or abstainments from voting and votes thereon;
- Vote/Action taken by board;
- Dissenting opinion;
- Time meeting adjourned.

Board members may suggest corrections to the minutes when they are in draft form. All board member suggested corrections should comply with this policy. Board members should not propose amendments to the minutes that conflict with this policy.

If recordings of board meetings are created, then the staff liaison shall maintain these recordings in accordance with the public records laws.

## **10. Parliamentary Procedure Resources**

When questions arise about parliamentary procedure that are not addressed by these general rules of order or the board-specific rules of order, the following resources may be consulted: Suggested Rules of Procedures for Small Local Government Boards (by Fleming Bell), Suggested Rules of Procedure for a City Council (by Fleming Bell), and Robert's Rules of Order.

## **11. Coverage (Effective Date and Application)**

This policy, upon adoption of the City Council, shall be applicable to all council appointed boards and committees until such time that the policy statement is altered, modified or rescinded by the City Council.