

Great Government Committee – Rules of Procedure Discussion

RULE 1 AGENDA DEVELOPMENT PROCESS

Proposed Text Changes:

Agenda. The County Manager shall prepare the agenda for each meeting of the Board. A request to have an item of business placed on the agenda must be received by the Manager at least **ten (10) calendar** ~~seven (7)~~ days before the meeting. Any **Board member two Board members** may, by a timely request, **in writing**, have an item placed on the agenda.

A consent agenda, listing items considered to be non-controversial, shall be prepared by the Manager as a part of the agenda. Consent agenda items shall be considered as a group by one motion, and no discussion shall be had on any consent agenda item. Any member may request that an item be removed from the consent agenda prior to approval of the agenda.

The agenda shall be approved as the first item of business at each meeting, and no item may be considered for action unless that item is included in the printed agenda or added to the agenda by majority vote before the agenda is approved by the Board.

No agenda item ~~introduced within~~ **requested by Commissioners** ~~seven (7)~~ **within ten (10) calendar** days of a regular meeting shall be considered at that regular meeting unless approved unanimously by those Board members in attendance at that meeting.

Committee Rationale:

After discussion, the committee determined that no one Commissioner should be able to unilaterally add an item to the Board's agenda. The Committee discussed the pros and cons of requiring two or three Commissioners to request an item. It also reviewed Board rules from other North Carolina counties and received input from the County Attorney. The Committee reached a compromise on requiring two Commissioners.

The Committee asked staff for their observations on the timing of Commissioner requests. Staff requested changing the deadline for a Commissioner requested item from seven days to ten days. This better insures that Commissioners are aware of the item, and can discuss it, during the agenda review process.

The committee noted the Manager needs flexibility to add items prior to the meeting, sometimes shortly before the meeting date and time. The committee noted, however, that late additions to the agenda should generally be urgent, requiring immediate Board action or awareness.

Staff Comments:

When two Commissioners wish to submit an agenda item, staff will request the Commissioners ask in writing. A brief email to the Manager, from one of the two requesting Commissioners, describing the proposed motion will be sufficient.

Staff will interpret the ten day deadline as 5:00pm of ten calendar days prior to the Board meeting. For example, if the Board has a regular meeting on Monday August 19, the two Commissioners would need to submit a written request to the Manager by Friday August 9 at 5:00pm.

When receiving a Commissioner request, staff will notify the Chair of the agenda item in a timely manner.

Commissioners will be responsible for the content related to their proposed motion. Staff will, however, assist the Commissioners with crafting language that is legally appropriate and does not inadvertently create additional challenges. Commissioners will be responsible for handouts and descriptions of their motions.

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RULE 2 GENERAL PUBLIC COMMENT

Proposed Text Changes:

Agenda. ~~Informal~~ **General** Public Comment. Each meeting shall include ~~thirty (30)~~ minutes for comments from the **a general public comment period** for the public in attendance, at a time indicated on the ~~printed~~ **published** agenda. The Chair shall first recognize individuals or groups having requested the opportunity to speak by signing up ~~on a “sign up” sheet provided in the Board chamber~~ **following the advertised process**, and then may recognize others subject to the available time. Speakers shall be limited to a maximum of three minutes each. **Speakers requesting permission to transfer their three minutes to another speaker must receive permission from the Chair to transfer time.** ~~When the time allotted for informal public comment has expired, the Chair will recognize further speakers only upon motion duly made and adopted.~~

Committee Rationale:

The committee discussed aspects of allowing speakers to transfer time to other speakers. The committee desires some flexibility, but enough structure to insure an efficient meeting and sufficient time for all speakers attending the meeting. The proposed change allows a speaker to transfer their three minutes to another speaker, but does not prohibit the Chair from setting other conditions.

The sentence requiring the Board to make a motion to continue the comment period beyond thirty minutes has been removed. This deletion assumes that the Board will hear from any and all residents who attend a meeting to speak. Using that assumption, the rule is not necessary.

Some text changes replace the “sign up sheet” language with broader language so that the Board and staff have flexibility to implement the forthcoming online signup process.

Staff Comments:

As of September 2019, staff are evaluating technology packages to implement an online signup system for the general comment period and all agenda items.

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RULE 10 ORDER OF DEBATE

Proposed Text Changes:

A. Order of Debate – Regular Items. The Chair shall lead the debate on regular agenda items, following this sequence:

1. The Chair shall introduce the item.
2. The Chair will invite staff to present information on the item. Commissioners shall hold all questions and comments until staff has completed their presentation. Should staff not have any material to share on an item, the Chair shall proceed with the Order of Debate.
3. When applicable, staff will share its recommendation for Board action.
4. The Chair shall state the motion or acknowledge another Commissioner who offers to state the motion.
5. Following the motion, another Commissioner must second the motion to allow for debate.
6. With a second, the Chair shall open the floor to discussion. If no second is offered the item dies and no further discussion takes place.
7. The Chair shall preside over the Board's discussion of the item, insuring all Commissioners have an opportunity to speak, prior to taking the vote on the motion.

B. Order of Debate – Public Hearings. The Chair shall lead the public hearing debate on agenda items including a public hearing, following this sequence:

1. The Chair shall introduce the item.
2. The Chair will invite staff to present information on the item. Commissioners shall hold all questions and comments until staff has completed their presentation. Should staff not have any material to share on an item, the Chair shall proceed with the Order of Debate.
3. When applicable, staff will share its recommendation for Board action.
4. The Chair will open the public hearing.
5. After hearing from speakers, the Chair will close the public hearing.

6. If the item is to be considered for a vote at this time, The Chair shall state the motion or acknowledge another Commissioner who offers to state the motion.
7. Following the motion, a Commissioner must second the motion, to allow for debate.
8. With a second, the Chair shall open the floor to discussion. If no second is offered the item dies and no further discussion takes place.
9. The Chair shall preside over the Board's discussion of the item, ensuring all Commissioners have an opportunity to speak, prior to taking the vote on the motion.

Committee Rationale:

The committee desires a consistent, stream-lined approach to discussing agenda items. As part of this rule change, the committee emphasized the following outcomes:

- Allow staff to provide a complete presentation without interruption,
- A single round of Commissioner discussion and comments after a motion is made and before a vote, rather than multiple rounds of discussion,
- No longer hearing Commissioner comments and discussion after a vote.

The committee also expressed interest in clarifying the Board's handling of public hearings. Part B of this draft rule addresses this interest with a specific order of debate for public hearings.

Staff Comments:

Staff has no comment on this rule.

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RULE 16 ATTENDANCE AT MEETINGS

Proposed Text Changes:

Part A. Presence at meetings. Generally, a member may only participate at meetings in person and no telephonic or other electronic means may be used as a substitute for the physical presence of the member at a meeting. A member may avail himself of a leave of absence as set forth in and in accordance with NCGS 128-40.

In rare and exceptional circumstances, a Commissioner may submit a request to participate in a meeting via electronic means. A majority of the Board must vote to approve the request in order for the requesting Commissioner to participate via electronic means.

Part B. Extraordinary meetings. Under extraordinary or exigent circumstances such as those necessitating a special or emergency meeting contemplated by Article 33C of Chapter 143 of the North Carolina General Statutes, telephonic or electronic meetings of the Board may occur if so, directed by the Chair or by the Vice-Chair if the Chair is not available.

Committee Rationale:

After considerable discussion about different situations and technological alternatives, and after receiving input from the County Attorney, the committee affirmed that physical presence at Board meetings remains the expectation of all Commissioners. This approach promotes better meeting discussions and avoids legal and other forms of risk.

The committee, however, desired some flexibility to address rare, unusual circumstances. The committee also felt it is appropriate for the full Board to determine when off-site participation is appropriate or not. The new rule text reflects that flexibility.

The rule preserves the Board's ability to hold emergency meetings via electronic means. The committee cited hurricanes and floods as examples of when this might be necessary.

Staff Comments:

Prior to adoption, staff will begin developing a technical means for off-site participation.