

**TOWN OF WENDELL
BOARD OF COMMISSIONER ORGANIZATIONAL RETREAT MINUTES
JANUARY 25, 2020**

The Wendell Town Board of Commissioners held their annual Organizational Retreat on Saturday, January 25, 2020 in Garner Town Hall, 900 7th Street, Garner, NC, 27529

PRESENT: Mayor Virginia Gray; Mayor Pro Tem John Boyette; Commissioners: Jon Lutz, Jason Joyner, Joe DeLoach, and Philip Tarnaski

ABSENT:

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Assistant to the Manager Stephanie Smith, and Town Attorney Jim Cauley

Mayor Gray called the meeting to order at 8:00. a.m. and welcomed attendees.

Garner Mayor Marshburn welcomed attendees and thanked the Board for their public service.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

Mover: Mayor Pro Tem John Boyette moved to approve the agenda.

Vote: 5-0

2. RETREAT OBJECTIVES

Town Manager Marc Collins reviewed the Agenda and goals for the retreat and thanked the Board for their investment of time. Mr. Collins gave the Board a few minutes to get breakfast and coffee before presenting item 2a.

2a. Commission Rules of Procedure Review

Town Manager Marc Collins presented the following report:

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	POLICY	
	Administration	Effective: January 18, 2020
Town of Wendell Board of Commissioners Rules of Procedure Version 1.0	Supersedes: New	
	Prepared By:	
	Megan Howard, Town Clerk	
	Approved By:	
	Marc Collins, Town Manager	

I. Purpose

These Rules of Procedure were designed for use by a municipal council. They incorporate general principles of parliamentary procedure and applicable North Carolina laws. Essentially, the rules are a modified version of the Roberts's Rules of Order Newly Revised (hereinafter referred to as RONR). However, RONR is intended primarily to guide the deliberations of large legislative bodies. Its detailed rules are not always appropriate for a small governing board. A small board can afford to do some things that are not appropriate for a large body, and in some cases the procedure prescribed by RONR for larger assemblies is unnecessary. RONR itself recognizes that more informality is desirable with small boards (RONR, Sec. 48, pp. 477-78); these rules detail the more informal procedures that might be expected with a small board.

II. RONR Principles

1. The Council [Board] must act as a body.
2. The Council [Board] should proceed in the most efficient manner possible.
3. The Council [Board] must act by at least a majority.
4. Every member must have an equal opportunity to participate in decision-making
5. The Council's [Board's] rules of procedure must be followed consistently.

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6. The Council's [Board's] actions should be the result of a decision on the merits and not a manipulation of the procedural rules.

III. NC G.S. Statutes

Many of the rules suggested here reflect the provisions of the North Carolina City [Town] Council meeting procedure statutes, Chapter 160A, Article 5, Parts 1-3, of the North Carolina General Statutes (hereinafter G.S.) (G.S. 160A-68 to -81) and the North Carolina open meetings law, G.S. Chapter 143, Article 33C (G.S. 143318.9 to 143-318.18). When the rules in this book state procedures that are required by sections of these statutes, the fact is noted in the Comments. City [Town] Councils [Boards] must follow procedures required by these laws, whether or not they adopt some version of the rules in this book.

Note that G.S. 160A-82 provides that nothing in G.S. 160A-68 through G.S. 160A-81 (with certain exceptions not pertinent here) is to be construed to repeal any inconsistent provision of any city charter. (See also G.S. 160A-3, which provides rules for resolving conflicts between charter provisions and other statutes.) City [Town] officials should examine the City [Town] Charter whenever a comment refers to a general law, to determine whether the Charter conflicts with the cited general law.

A City [Town] Council [or Board of Commissioners] has a relatively free hand in designing its own rules of procedure, as long as the requirements of the general laws mentioned above, and the city's charter are followed, and the Board adheres to the general principles listed earlier. Most of the rules in this book are merely suggested procedures, and each council should feel free to change them to suit local needs and customs. For example, Rule 11 eliminates the requirement of a second to a motion. A Council [Board] may choose to adopt that rule or not. Alternative wordings and optional language for some of the rules are shown enclosed in brackets. Throughout these rules the City [Town] Governing Board is referred to as the "Council," in keeping with the wording of G.S. Chapter 160A.

IV. DEFINITIONS

Rule 1 - Definitions

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The following are definitions for the benefit of meetings of the Board of Commissioners for the Town of Wendell:

"BOARD OF COMMISSIONERS." The governing body of the Town of Wendell, North Carolina.

"CODE or CODE OF ORDINANCES." The Code of the Town of Wendell, North Carolina.

"COMPUTATION OF TIME." The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is Saturday, Sunday, or a legal holiday, that day shall be excluded. State law references: Computation of time, G.S. 1-593.

"COUNTY." The County of Wake, in the State of North Carolina, except as otherwise provided.

"DEVELOPMENT." Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

"GENDER." Words importing the masculine gender include the feminine and neuter.

"G.S." The abbreviation "G.S." refers to the latest edition of the General Statutes of North Carolina, as amended.

"IN THE TOWN." Any territory jurisdiction of which for the exercise of its regulatory power has been conferred on the town by public or private law.

"MONTH." A calendar month.

"OATH." An affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

"OFFICIALS, DEPARTMENTS, BOARDS, COMMISSIONS, COMMITTEES." Whenever reference is made to "OFFICIALS, DEPARTMENTS, BOARDS, COMMISSIONS, COMMITTEES etc.," by title only, they shall be construed as if followed by the words "of the Town of Wendell, North Carolina."

"OFFICIAL TIME STANDARDS." Whenever certain hours are named in this code, they shall mean standard time or daylight savings time as may be in current use in the town.

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"OWNER." When applied to buildings or land, shall include any part owner, joint owner, tenant in common, joint tenant, or tenant by the entirety, of the whole or part of the building or land.

"PERSON." Includes a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

"PERSONAL PROPERTY." Every species of property, except real property as herein defined.

"PRECEDING" and **"FOLLOWING."** Next before and next after, respectively.

"PROPERTY." Real and personal **"PROPERTY."**

"REAL PROPERTY." Lands, tenements, and hereditaments.

"RIGHT-OF-WAY." The entire width between property lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for public purposes.

"SIDEWALK." Any portion of a street between the curb line and the adjacent property line, intended for the use of pedestrians.

"STORM SEWER DRAINAGE FACILITIES." Includes drain outlets in connection with the curb and gutter, underground drain lines to carry water away from the street, and any other necessary or incidental appurtenances as may be required under the street.

"STREET." A dedicated public right-of-way permitting public vehicular traffic.

"SIGNATURE" or **"SUBSCRIPTION."** Shall include a mark when a person cannot write.

"STATE." The State of North Carolina.

"STATUTES REFERENCES." The General Statutes of North Carolina shall be cited to throughout this code as "G.S."

"STREET." Any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct, bridge, and the approaches thereto within the town and the entire width of the right-of-way between abutting property lines.

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"TENANT" or "OCCUPANT." Applied to a building or land shall include any person who occupies the whole or part of the building or land, whether alone or with others.

"TOWN." The Town of Wendell, in the County of Wake and the State of North Carolina, except as otherwise provided.

"TOWN LIMITS" or "CORPORATE LIMITS." The legal boundary of the Town of Wendell, North Carolina.

"VARIANCE" is a grant of relief from the requirements of the ordinance.

"WRITING" or "WRITTEN." Shall include printing and any other mode of representing words and letters.

"YEAR." A calendar year.

V. APPLICABILITY

Rule 2 - Applicability of Rules

These rules shall apply to all meetings of the Board of Commissioners of the Town of Wendell, at which the Board is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law.

VI. OPEN MEETINGS

Rule 3 – Meetings to be Open

- a.) The public policy of North Carolina and the Town of Wendell is that the hearings, deliberations, and actions of this Board and its committees shall be conducted openly, as is required by NC G.S. 143-318.9.
- b.) Except as otherwise provided in these rules and in accordance with applicable law, each official meeting of the Town of Wendell Board of Commissioners shall be open to the public, and any person may attend, as required by NC G.S. 143-318.10.
- c.) For the purposes of the provisions of these rules concerning open meetings, an official meeting of the Board is defined as a meeting, assembly, or gathering together at any time or place, or the simultaneous communication by conference telephone or other electronic means of a majority of the members of the Board of Commissioners for the purpose of

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conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the Board of Commissioners. However, a social meeting or other informal assembly or gathering together of the members of the Board of Commissioners does not constitute an official meeting unless called or held to evade the spirit and purposes of the Open Meetings Law, as required by NC G.S. 143-318.10 (b).

Rule 4-Closed Sessions

- a.) Notwithstanding the provisions of the applicability of the rules, the Board may hold a closed session and exclude public, but only upon the following circumstances, which are authorized by North Carolina General Statute:
- 1.) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
 - 2.) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
 - 3.) To consult with an attorney employed or retained by the Board of Commissioners in order to preserve the attorney-client privilege between the attorney and the Board of Commissioners, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit the Board of Commissioners to close a meeting that otherwise would be open merely because an attorney employed or retained by the Board of Commissioners may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, or administrative procedure. If the Board of Commissioners has approved or considered a settlement other than a malpractice settlement by or on behalf of a hospital, in a closed session, the terms of that settlement shall be reported to the Board of Commissioners and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
 - 4.) To discuss matters relating to the location or expansion of industries or other businesses in the Town of Wendell.
 - 5.) To establish, or to instruct Town of Wendell staff or negotiating agents concerning the position to be taken by or on behalf of the Board of Commissioners in negotiating (l)

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the price of other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (II) the amount of compensation or other material terms of an employment contract or proposed employment contract.

- 6.) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the Board of Commissioners or another body and may not consider or fill a vacancy among its own membership except in open meeting. The final action making an appointment or discharge or removal by the Board of Commissioners having final authority for the appointment or discharge or removal shall be taken in an open meeting.
 - 7.) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
 - 8.) Applies to a local board of education to respond to incidents of school violence or to formulate and adopt school safety components of school improvement plans.
 - 9.) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
- b.) The Board may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in Subsection (a) of this rule. A motion based on preventing the disclosure of information that is privileged or confidential shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. Any motion to go into a closed session must be approved by a majority of those Board members present and voting. The Board of Commissioners shall terminate the closed session by majority vote. A motion to adjourn or recess shall not be in order during a closed session. [NC G.S. 143-318.11]

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VII. ORGANIZATION OF THE BOARD

Rule 5 – Organizational Meeting

At the first regular meeting in December of each odd-numbered year, the first order of business shall be approval of the minutes from the previous meeting. For the second order of business, the newly elected members of the Board shall take and subscribe the oath of office. The third order of business shall be the election of a Mayor Pro Tempore. [NC G.S. 160A-68 (a) and (b)]

VIII. REGULAR AND SPECIAL MEETINGS

Rule 6 – Regular Meetings

The Board of Commissioners shall hold two regular meetings per month. One meeting shall be on the second Monday of each month. A second meeting shall be on the fourth Monday of each month. Each of the meetings shall be held at 7:00 p.m. in the Wendell Town Hall. A copy of the Board of Commissioners' current meeting schedule shall be filed with the Town Clerk. [Sec. 2 – 105 (a) of the Code of Ordinances 31.053 (A)]

The Board may hold special work sessions to be called at the discretion of the Mayor or at the request of any two Commissioners. A schedule of any such meetings held regularly shall be filed in the same place and manner as the schedule of regular meetings and work sessions. Work sessions and other informal meetings not held regularly are subject to the same notice requirements as Special Board Meetings.

Rule 7 – Special, Emergency and Adjourned (or Recessed) Meetings

a.) **Special Meetings** – The Mayor, the Mayor Pro Tempore, or any two members of the Board of Commissioners may at any time call a Special Board of Commissioners Meeting by signing a written notice stating the time and place of the meeting, and the subjects to be considered. At least 48 hours before a Special Meeting is called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be:

[Sec. 2 – 105 (d) of the Code of Ordinances]

- 1.) Delivered to the mayor and each Board of Commissioners member or left at his or her usual dwelling place;

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- 2.) Posted on the Board of Commissioners' principal bulletin board, or if none, at the door of the Board of Commissioners' usual meeting room and
- 3.) Mailed, e-mailed or delivered to each newspaper, wire service, radio station, television station and person who has filed a written request for notice with the Town Clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice.

[NC G.S. 143-318.12 (b) and NC G.S. 160A-71 (b) (1)]

A Special Meeting may also be called or scheduled by vote of the Board of Commissioners in open session during another duly called meeting. The motion calling or scheduling at the Special Meeting shall specify its time, place, and purpose. At least 48 hours before a special meeting called in this manner, notice of the time, place and purpose of the meeting shall be:

- 1.) Posted on the Board of Commissioners' principal bulletin board, or if none, at the door of the Board of Commissioners' usual meeting room and
- 2.) Mailed, e-mailed or delivered to each newspaper, wire service, radio station, television station and person who has filed a written request for notice with the Town Clerk. Such notice shall also be mailed or delivered at least 48 hours before the meeting to each Board of Commissioners member not present at the meeting at which the Special Meeting was called or scheduled and to the Mayor if he or she was not present at that meeting.

[NC G.S. 160A-71 (b) (1) and NC G.S. 160A-71 (b) (3)]

- b.) **Emergency Meetings** – The Mayor, the Mayor Pro Tempore, or any two members of the Board of Commissioners may at any time call an emergency Board of Commissioners meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the Mayor and each Board of Commissioners member or left at his or her usual dwelling place at least six hours before the meeting. Notice of the meeting shall be given to each local newspaper, local wire service, local radio station and local television station that has filed a written emergency meeting notice request, which includes the newspaper's, wire services' or station's telephone number, with the Town Clerk. This notice shall be given either by e-mail,

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telephone, fax or by the same method used to notify the Mayor and the Board of Commissioners members and shall be given at the expense of the party notified.

Emergency meetings shall only be called because of generally unexpected circumstances that require immediate consideration by the Town Board of Commissioners. Only business connected with the emergency may be considered at an emergency meeting.

[NC G.S. 160A-71 (b1)]

- c.) **Adjourned (or Recessed) Meetings** – A properly called regular, special or emergency meeting may be adjourned (or recessed) by a procedural motion and adopted as provided in Rule XIV in open session during the regular, special or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of an adjourned (or recessed) session of a properly called regular, special or emergency meeting.

[NC G.S. 160A-71 (b1)]

- d.) **Sunshine List**—Any individual and any newspaper, wire service, radio station, and television station may file a written request with the Clerk to the Board of Commissioners for notice of all special meetings of the Board. Request by individuals and news organizations must be renewed annually by the **second meeting in December** of each year and are not subject to any fee.

[NC G.S. 143-318.12 (b)]

Rule 8 – Broadcasting and Recording of Meetings

Except as provided in this rule, any radio or television station may broadcast all or any part of an official Board meeting required to be open to the public. Any person may photograph, file, tape record, or otherwise reproduce any part of a meeting required to be open.

[NC G.S. 143-318.14]

It is the intention of the Board of Commissioners to have all regular Board meetings on East Wake TV as soon as funding allows it.

IX. AGENDA

Rule 9 – Agenda

The Town Manager shall prepare a proposed agenda for each meeting.

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[Sec. 2 – 107 (a) (1) (a) of the Code of Ordinances]

A request to have an item of business placed on the agenda must be received at least two working consecutive days before the meeting.

[Sec. 2 – 107 (a) (1) (b) of the Code of Ordinances]

Any Commissioners or the Mayor may have an item placed on the proposed agenda, so long as the request is timely and is consistent with the notice requirements of Rule II, if applicable.

[Sec. 2 – 107 (a) (1) (c) of the Code of Ordinances]

To be included on the written, distributed agenda, the item needs to be sent in writing or via electronic mail at least ten calendar days prior to the meeting. This allows the staff sufficient time to conduct research and prepare background information on the item. This will not preclude anyone from placing an item on the agenda at the approval of the agenda during the meeting, itself.

A copy of all proposed ordinances shall be attached to the proposed agenda. An agenda packet shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each Board of Commissioners member shall receive a copy of the proposed agenda and the agenda packet and it shall be available for public inspection and distribution or copying when it is distributed to Board of Commissioners members. The Board of Commissioners may by majority vote add items to the agenda, except that only business connected with the emergency may be considered at an emergency meeting.

[Sec. 2 – 107 (a) (1) (f) of the Code of Ordinances]

Rule 10 – Consent Agenda

Agenda items that are deemed by the Town Manager as generally non-controversial, including but not limited to Approval of Minutes, Budget Amendments, etc., may be combined into a single agenda item titled, "Items for Consent." If such an objection is raised, the item or items so noted must be removed from the Consent Agenda and placed as additional individual items in the agenda and acted upon, accordingly.

[Town Procedures]

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Rule 11 – Progression of Agenda Items

- The agenda item is introduced by the staff or the Mayor.
- The Mayor asks if there are any questions after the presentation is made.
- The Mayor calls for a motion.
- A motion is made (the motion must be stated clearly.)
- The Mayor states the motion made and opens the table for discussion.
- A vote is taken.

[Loose interpretation of Sec. 2 – 107 (a) (2) of the Code of Ordinances]

Rule 12 – Public Address to the Board of Commissioners

Any individual or group who wishes to address the Board of Commissioners shall make a request to be on the agenda to the Town Manager.

[modification of Sec. 2 – 107 (a) (1) (b) of the Code of Ordinances]

The Board of Commissioners shall also set aside part of each regular meeting for individuals or groups to address the Board of Commissioners.

[NC General Statute 160A-81.1]

Rule 13 – Order of Business

Items shall be placed on the agenda according to the Order of Business. The Order of Business for each regular meeting shall be as follows:

- Adjustment and approval of the agenda,
- Public comment period,
- Consent agenda,
- Presentations,
- Public hearings,
- Administrative items,
- Other business,
- Commissioners reports/comments,
- Mayors reports/comments,
- Closed session (if applicable),

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- Adjourn

[Loose interpretation of Sec. 2 – 107 (a) (2) of the Code of Ordinances]

By general consent of the Board of Commissioners, items may be considered out of order.

X. CONDUCT OF DEBATE

Rule 14 – Office of the Mayor

The Mayor shall preside at all meetings of the Board of Commissioners but shall have the right to vote only when there is a tie.

[NC General Statute 160A-69]

In order to address the Board of Commissioners, a member must be recognized by the Mayor.

The Mayor shall have the following powers:

1. To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
3. To entertain and answer questions of parliamentary law or procedure;
4. To call a brief recess at any time;
5. To adjourn in an emergency.

[town procedures]

Rule 15 – Office of the Mayor Pro Tempore

At the organizational meeting, the Board of Commissioners shall elect from among its members a Mayor Pro Tempore to serve at the Board of Commissioners' pleasure.

[Charter Sec. 3.4 of the Code of Ordinances; NC General Statute 160A-70 and 160A-71]

A Board of Commissioners member who serves as Mayor Pro Tempore shall be entitled to vote on all matters and shall be considered a Board of Commissioners member for all purposes, including the determination of whether a quorum is present. In the Mayor's absence, the Board of Commissioners may confer on the Mayor Pro Tempore any of the Mayor's powers and duties. If

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the Mayor should become physically or mentally unable to perform the duties of his or her office, the Board of Commissioners may by unanimous vote declare that the Mayor is incapacitated and confer any of the Mayor's powers and duties on the Mayor Pro Tempore. When a Mayor declares that he or she is no longer incapacitated, and a majority of the Board of Commissioners concurs, the Mayor shall resume the exercise of his or her powers and duties. If both the Mayor and the Mayor Pro Tempore are absent from a meeting, the Board of Commissioners may elect from among its members a temporary chairman to preside at the meeting.

[NC General Statute 160A-70]

Rule 16 – Presiding Officer When the Mayor is in Active Debate

The Mayor shall preside at meetings of the Board of Commissioners unless he or she becomes actively engaged in debate on a particular proposal, in which case he or she shall designate another Board of Commissioners member to preside over the debate. The Mayor shall resume presiding as soon as action on the matter is concluded.

[town procedures]

Rule 17 – Presiding Officer When the Chair is Active in Debate

If the Mayor, Mayor Pro Tempore (as appropriate,) or other presiding officer wishes to debate a proposal actively, he or she shall designate another Board member to preside. The Mayor, Mayor Pro Tempore (as appropriate,) or other presiding officer shall resume the duty to preside as soon as action on the matter is concluded.

[town procedures]

Rule 18 – Action by the Board

The Board shall proceed by motion that is made. Any Commissioner, including the Mayor Pro Tempore, may make a motion. A second is not required.

[town procedures]

Rule 19 – One Motion at a Time

A member may only make one motion at a time.

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[town procedures]

Rule 20 – Substantive Motion

A substantive motion is out of order while another substantive motion is pending.

Rule 21 – Adoption by Majority Vote

A motion shall be adopted if approved by a majority of the votes cast, unless otherwise required by these rules or North Carolina laws.

Rule 22 – Debate

The Mayor (or individual presiding) shall state the motion and then open the floor to debate, presiding according to these general principles:

1. The member making the motion or introducing the ordinance, resolution, or order may speak first.
2. To the extent possible, the debate shall alternate between opponents and proponents of the measure.

[town procedures]

Rule 23 – Procedural Motions

- a.) In addition to substantive proposals, the procedural motions listed in subsection (b) of this rule, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.
- b.) In order of priority (if applicable,) the procedural motions are:
 - 1.) *To Adjourn*. The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.
 - 2.) *To Recess*.
 - 3.) *To Call to Follow the Agenda*. The motion must be made at the first reasonable opportunity, or it is waived.
 - 4.) *To Suspend the Rules*. The motion requires a vote equal to a quorum.
 - 5.) *To Divide a Complex Motion*.

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- 6.) *To Defer Consideration* (also refers to "tabled items." A substantive motion whose consideration has been deferred expires one hundred days thereafter, unless a motion to revive consideration is adopted.
- 7.) *To Call the Previous Question.* The motion is not in order until every member has had opportunity to speak.
- 8.) *To Postpone to a Certain Time or Day.*
- 9.) *To Refer to Committee.* Sixty days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, regardless of whether the committee has reported the matter back to the Board.
- 10.) *To Amend.* An amendment to a motion must be germane to the subject of the motion, but it may not achieve the opposite effect to the motion. There may be an amendment to the motion and an amendment to an amendment, but no further amendments. Any amendment to a proposed ordinance shall be reduced to writing.
- 11.) *To Revive Consideration.* The motion is in order at any time within one hundred days of a vote deferring consideration. A substantive motion on which consideration has been deferred expires one hundred days after the deferral, unless a motion to revive consideration is adopted.
- 12.) *To Reconsider.* The motion must be made at the same meeting where the original vote was taken, and by a member who voted with the prevailing side. It cannot interrupt deliberation on a pending matter, but is in order any time before adjournment.
- 13.) *To Prevent Reconsideration for Six Months.* An agenda item may not be reconsidered for a period of six months after the initial vote, except by the vote of 4/5 of the Board of Commissioners.

Rule 24 – Renewal of Motion

A defeated motion may not be renewed at the same meeting.

Rule 25 – Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before the chair puts the motion to a vote.

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Rule 26 – Duty to Vote

It is the duty of each member to vote unless excused by a majority vote according to law. The Board may excuse members from voting on matters involving their own financial interest or official conduct. A member wishing to be excused from voting shall so inform the Mayor, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting in the affirmative.

[NC General Statute 160A-75]

Rule 27 – Prohibition of Secret Voting

No vote may be taken by secret ballot. If the Board decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, then they may be destroyed.

[town procedures and NC GS 143-318.13]

Rule 28 – Action by Reference

The Board shall not deliberate, vote or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or document number being referenced are available for public inspection at the meeting and are so worded that the people at the meeting can understand what is being discussed or acted on.

[town procedures]

Rule 29 – Introduction of Ordinances, Resolutions, and Orders

A proposed ordinance shall be deemed introduced on the date the subject matter is first voted on by the Board.

[NC General Statute 160A-75]

Rule 30 – Adoption, Amendment, or Repeal of Ordinances

To be adopted at the meeting where it is first introduced an ordinance or an action with the effect of an ordinance, or any ordinance amending or repealing an existing ordinance (except the budget

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ordinance, a bond order, or another similar ordinance requiring a public hearing before adoption) must be approved by two-thirds of the members of the Board of Commissioners. If the proposed measure is approved by a majority but not by all the members of the Board, or if the measure is not voted on at that meeting, it shall be considered at the next regular meeting of the Board. If it then or at any time thereafter within one hundred days of its introduction receives a majority of the votes cast, the measure is adopted.

[NC General Statute 160A-75]

RULE 31. Adoption of the Budget Ordinance

Notwithstanding the provision of any town charter, general law or local act:

- 1.) Any action with respect to the adoption or amendment of the budget ordinance may be taken at any regular or special meeting of the Board of Commissioners by a simple majority of those present and voting, a quorum being present;
- 2.) No action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the Board of Commissioners; and
- 3.) The adoption and amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any city charter or local act concerning initiative or referendum.

During the period beginning with the submission of the budget to the Board of Commissioners and ending with the adoption of the budget ordinance, the Board of Commissioners may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the Open Meetings Law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as:

1. Each member of the Board has actual notice of each special meeting called for the purpose of considering the budget; and
2. No business other than consideration of the budget is taken up.

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This rule does not allow, and may not be construed to allow, the holding of closed meetings or closed sessions by the Board of Commissioners if it is otherwise prohibited by law from holding such a meeting or session.

[NC General Statute § 159-17 with minor modifications]

RULE 32. Quorum

A majority of the actual membership of the Board of Commissioners, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

[NC General Statute § 160A-74]

RULE 33. Public Hearings

Public hearing required by law or deemed advisable by the Board of Commissioners shall be organized by a special order, adopted by a majority vote that sets forth the subject, date, place and time of the hearing as well as any rules regarding the length of time for each speaker and other pertinent matters. The rules may include, but are not limited to, rules:

- 1.) Fixing the maximum time allotted to each speaker;
- 2.) Providing for the designation of spokespersons for groups of persons supporting or opposing the same positions;
- 3.) Providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made for those excluded from the hall to listen to the hearing); and
- 4.) Providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirement of the Open Meetings Law applicable to Board of Commissioners meetings shall also apply to public hearings at which a majority of the Board of Commissioners is present. A public hearing for which any notices required by the Open Meetings Law or other provisions of law have been given may be continued to a time and place certain

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without further advertisement. The requirements of Rule IIC shall be followed in continuing a hearing at which a majority of the Board of Commissioners is present.

At the time appointed for the hearing, the mayor or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

[NC General Statute § 160A-81]

RULE 34. Quorum at Public Hearings

A quorum of the Board of Commissioners shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular Board of Commissioners meeting without further advertisement.

[NC General Statute § 160A-81]

RULE 35. Minutes

Full and accurate minutes of the Board of Commissioners proceedings shall be kept and shall be open to the inspection of the public, except as otherwise provided in this rule, within seven calendar days of the date of the meeting. The results of each vote shall be recorded in the minutes, and the ayes and noes upon any question shall be taken. Full and accurate minutes shall be kept of all actions taken during closed sessions. Minutes and other records of a closed session shall be sealed upon adoption and withheld from public inspection, for so long as public inspection would frustrate the purpose of the closed session. On January 1, or shortly thereafter each year, the Town Clerk, with the approval of the Town Manager, shall unseal all closed session minutes from the prior year(s), if appropriate.

[NC General Statute § 160A-72]

[Code of Ordinances Sec. 2 – 113]

RULE 36. Appointments

The process for appointments to boards and commissions shall be as follows:

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1. The town clerk advertises opportunities for service at the beginning of each year, or as necessary. Each time the Board of Commissioners wishes to fill an advisory board vacancy, the Board of Commissioners establishes a deadline for receipt of the advisory board applications.
2. Interested citizens fill out applications and return them to the town clerk. If an applicant is interested in serving on multiple boards, the applicant should prioritize his/her preferences for board appointments.
3. The town clerk marks each application with a date stamp to show the date the application is received and enters all of the applications into a tracking table, which lists the names of citizens and the boards for which they wish to apply. This document is an internal document used by the clerk's staff for tracking purposes.
4. A letter is sent to applicants acknowledging receipt and thanking them for their application and noting the approximate schedule for appointments by the Board of Commissioners.
5. The town clerk fills-out the advisory board vacancies chart, which lists boards with openings and the schedule for consideration of appointment by the Board. This chart is an internal document used by the clerk's staff for tracking purposes.
6. Copies of applications are filed in the folder of each board for which each person applied.
7. Board members may not serve more than two consecutive full terms on any one particular advisory board. Consideration will be given to sitting members of an advisory board for reappointment to a second term; however, appointment for a second term is not guaranteed.
8. Immediate family members, as defined by the Town of Wendell Personnel Policy, of any elected official cannot be appointed to an advisory board / commission.
9. Town employees (full-time or part-time) cannot be appointed to an advisory board / commission.
10. Contractors / contract employees of the town cannot be appointed to an advisory board / commission.
11. At a regular meeting, the Board of Commissioners will vote on appointments to the various boards and commissions. Voting on advisory board appointments will be done by written ballot. Applicants must receive an affirmative vote from a majority of the Board members present and voting to be appointed. After each round of balloting, votes will be counted to determine if sufficient votes have been received by candidates for appointment. Once an applicant receives the majority of votes by the Board needed for appointment, his/her

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name will be removed from the ballot for any subsequent balloting, and he/she will be considered appointed. Additionally, the name of the lowest vote-getter from that round of voting (along with the names of anyone else who ties as the lowest vote getter for that particular round of voting) will also be removed from any subsequent ballot until the point in time when the proper number of board appointments has been made. If the applicant is appointed, a letter is mailed to their residence.

12. In general, appointees will start their new positions on July 1st of the new fiscal year.

13. No person can serve on multiple standing town advisory boards / commissions at the same time.

14. For those applicants not chosen, a letter is sent to them informing them that they were not chosen. Advisory Board applications will be kept on file for a period of at least twelve (12) months for consideration of appointments to fill vacancies that may arise during the middle of a year. In order to ensure that information received is up-to-date, after annual appointments are made, anyone wishing to have an application considered in the future should submit a new application.

[town procedures]

Rule 37 – Committees and Boards

The Board of Commissioners or the Mayor, as appropriate, may establish and appoint members for such temporary and standing committees and boards as are needed to help carry on the work of municipal government. Any specific provisions of law relating to particular committees and boards shall be followed.

The requirements of the Open Meetings Law shall apply to all committees and boards that are established by the Board of Commissioners.

[NC General Statute 143-318.10, 160A-146 and town procedures]

Rule 38 – Reference to Robert's Rules of Order

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the Board of Commissioners shall refer to the most recent copy of *Robert's rules of Order, Newly Revised*, to answer unresolved procedural questions.

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→Initially effective on the 1st day of August 2008. Initially adopted on the 14th day of July, 2008.

→Revised on the 8th day of June 2009.

→Adopted as shown on the 12th day of April 2010

→Revised and adopted on the 23rd day of May 2016.

→Reformatted on the 3rd day of January 2020.

Town Clerk Megan Howard mentioned that under Rule 7, section d, that the Sunshine List renewal was set for the second Board Meeting in December. As the Town Board doesn't hold a second Board Meeting in December, Ms. Howard requested that this rule be changed to the first and only meeting in December.

The Board agreed that the adjustment should be changed.

Town Manager Marc Collins asked if the Board had any comments on the recording or Broadcasting of Town Board Meetings.

Mayor Pro Tem John Boyette asked if the Board could be able to teleconference in to meetings if they are unable to attend.

Town Attorney Jim Cauley said that it can be done, but it's not used very often because you have to hear and be heard. Mr. Cauley also mentioned having to record the vote, which makes it mechanically awkward. He said that is legally permissible, but it becomes more difficult to do if more than one council member is in need of teleconferencing into a meeting.

Mayor Pro Tem Boyette asked if it counts for a quorum.

Attorney Cauley confirmed that it does, if the Board member is present electronically when the meeting is called to order. He said he wouldn't recommend it for a Quasi-Judicial Meeting.

Town Manager Marc Collins said that the Town currently has audio and PEG Channel recordings of the Board Meetings. The Town has chosen not to participate in Facebook

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Live recordings of the meetings at this time, due to a lack of staff to contribute to monitoring and response to inquiries. He asked about the Board's thoughts on this.

Commissioner Joe DeLoach said that the Town could provide the feed but turn off the comments portion of it.

Commissioner Jason Joyner said that there's a benefit to having it broadcasted in real time, but he understands that the Town can't respond and monitor comments.

Mr. Collins said evaluating controlling the message would be revisited once the Town has moved into a new Town Hall with newer technology opportunities.

Mayor Pro Tem Boyette asked for clarification to Rule 16: Presiding Officer when the Mayor is in Active Debate.

Town Attorney Cauley said that this rule comes from Robert's Rules and addresses that you don't want someone presiding over a meeting that can decide how the debate goes if they become actively and sentimentally engaged in it. The Mayor should preside impartially on items up for debate.

Mr. Collins asked about setting agendas and procedural motions and if the Board had any questions about that.

Commissioner Jon Lutz said that Rule 12 for Public Comment has been working out great with the light timer in reminding people of the 3-minute limit.

Commissioner Joyner brought up Quasi-Judicial Hearings and Public Comment period.

Mayor Gray said that she generally reminds individuals who try speaking on a Quasi-Judicial Matter during Public Comment period that they need to speak during the Public Hearing.

Town Manager Collins said that the Board gets to delegate which statements are of value and how much credibility and weight they hold.

Town Attorney Cauley said that Quasi-Judicial proceedings are due process, like a court proceeding. The rules are different for Town Boards compared to other hearings.

Mr. Collins said that staff can identify a process in letting the Board know when a Quasi-Judicial hearing is coming near to being presented at a Town Board Meeting, once an application is received to prevent ex parte discussion.

Mayor Gray mentioned that there isn't back-and-forth discussion during Public Comment period.

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Town Manager Collins said if the Board wants him to follow up with public inquiry requests, he will let the Assistant to the Manager know to get the citizen's information before the meeting is adjourned.

Assistant to the Manager Stephanie Smith mentioned that staff takes note of inquiries presented and that social media might be a great opportunity to inform the public beyond the individual if clarification on process is needed.

Mr. Collins said it's appropriate for someone on the Board to ask the citizen to direct their comments to the Board as a whole if the citizen decides to address individual members or the audience, rather than the Town Board as a whole. Mr. Collins said that if there is a contentious issue being presented, he will have an increased Police presence and will have them stationed closer to the front of the Board room to maintain decorum.

Mayor Gray said that recent Planning Board meetings have become increasingly disruptive and it's not appropriate for a Town Board meeting.

Commissioner Joyner said he understands EWTV records regular meetings and suggested that Planning Board meetings be recorded as well to ensure that people will behave with more decorum if they're behavior is being broadcasted.

Commissioner DeLoach said there are also some safety concerns from Planning Board members.

Mr. Collins said staff will look at comparatives and process and cost on recording Planning Board meetings and will report back to the Board on the findings. Training staff on the equipment might be useful.

Commissioner DeLoach said the video could be posted on the minutes page on the Town's website to share with the public.

Mr. Collins said that training of members of the Planning Board on ethical guidelines might be helpful.

Commissioner Joyner said training of Planning Board members is a different problem.

Commissioner DeLoach said that some members want more training on guidelines of serving. He said the orientation wasn't extensive enough and the vetting of members might need some growth.

Commissioner Boyette said that he thought the Planning Board was on the large side and it prevents the Town Board from being more selective in appointments.

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Mr. Collins asked if there's an interest in staff examining per capita representation of the Planning Board for a numbers comparison to lower the membership numbers. Mr. Collins offered to report the findings on this back to the Town Board.

Commissioner DeLoach asked how it got to 9 and if it used to be less in the past.

Mayor Gray said it used to be 7 members and was raised due to attendance issues.

Mr. Collins said that the Planning Board serves as an advisory committee to the Town Board to get a barometer of the community's response to planning development.

Mayor Pro Tem Boyette suggested just asking them for advice rather than a vote.

Mr. Collins said that's essentially what they're doing through a vote.

Mr. Boyette said there's a public misconception that the Planning Board's vote is strictly a recommendation and that there needs to be clarification on that fact.

Mr. Collins said that the Citizen Boards are an extension of the Town Board, with the Planning Board having more statutory direction and guidelines around land use and real estate. They are citizen advisors to the Board.

Mr. Boyette said that perhaps before the Planning Board takes a vote, they should read that voting is strictly for making an advisory recommendation to the Town Board, and it isn't binding.

Mr. Collins said that the Planning Board needs to know the Town Board's policy and understand the Town Board's direction on that. He said the Town Board might have to meet with the Planning Board to discuss growth, densities, uses, etc. so that they can get a sense to where the Town Board expects things to happen. When the development comes in later, they should know what the Board expects and they can be held accountable if they're acting inconsistent in reflecting that policy.

Commissioner Jon Lutz said that staff liaisons should also remind citizen advisory boards of the Town Board's policies.

Commissioner Joe DeLoach asked about the Agenda process and when that generally gets finalized.

Mr. Collins said that the week prior the agenda gets sent out, staff starts sending in cover sheets and materials for the agenda packet for the Town Manager to review. The Town Clerk compiles the reports and formats the materials for uniformity. He said that the cover sheet stands as to be a summary that covers important materials in the attachments. The following Monday/Tuesday, the Town Manager has a meeting with

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the Mayor, Clerk and Assistant to the Manager to read over the agenda and discuss the upcoming meeting. Mr. Collins said that having another member of the Board present, so long as it doesn't exceed two members of the Board to prevent having a quorum, would be useful. He suggested having the Mayor Pro Tem present at these meetings in the future.

Mayor Pro Tem Boyette said he would like to attend some of these meetings.

2b. Review of Town Charter, Code Amendments, and Ethics Policy

Town Attorney Jim Cauley presented the following information and recommendations:

Subpart A - CHARTER¹¹

Sec. 1. The Charter of the Town of Wendell is revised and consolidated to read:

Footnotes:

--- (1) ---

Editor's note— Printed herein is the Charter of the Town of Wendell, Session Laws of 1985, chapter 107, as adopted by the General Assembly on April 19, 1985. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original session law. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to state statutes, and expression of numbers in text as appears in the Code of Ordinances has been used. Additions made for clarity are indicated by brackets.

State Law reference— General laws supplementary to the charter, G.S. 160A-3.

ARTICLE I. - INCORPORATION AND CORPORATE POWERS

Sec. 1.1. - Incorporation.

The Town of Wendell, North Carolina, in the County of Wake, and the inhabitants thereof, shall continue to be a municipal body politic and corporate, under the name and style of the "Town of Wendell," hereinafter at times referred to as the "town."

Sec. 1.2. - Powers.

The Town of Wendell shall have and may exercise all of the powers, duties, rights, privileges and immunities, which are now, or hereafter may be, conferred, either expressly or by implication, upon the Town of Wendell specifically, or upon municipal corporations generally, by this Charter, by the state Constitution, or by general or local law.

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ARTICLE II. - CORPORATE BOUNDARIES

Sec. 2.1. - Existing corporate boundaries.

The corporate boundaries of the Town of Wendell shall be those existing at the time of ratification of this Charter, as the same are set forth on the official map of the town, and as the same may be altered from time to time in accordance with law. An official map of the town, showing the current town boundaries, shall be maintained permanently in the office of the town clerk, and shall be available for public inspection. Immediately upon alteration of the corporate limits made pursuant to law, the appropriate changes to the official map of the town shall be made.

Sec. 2.2. - Extension of corporate boundaries.

All extensions of the corporate boundaries shall be governed by the General Statutes.

State Law reference— Corporate limits, G.S. 160A-21 et seq.

ARTICLE III. - MAYOR AND BOARD OF COMMISSIONERS

Sec. 3.1. - Governing body.

The mayor and the Board of Commissioners, elected and constituted as herein set forth, shall be the governing body of the town. On behalf of the town, and in conformity with applicable laws, the mayor and board may provide for the exercise of all municipal powers, and shall be charged with the general government of the town.

Sec. 3.2. - Board of commissioners; composition; terms of office.

The Board of Commissioners shall be composed of five members, each of whom shall be elected for a term of four years in the manner provided by article IV of this Charter, provided they shall serve until their successors are elected and qualified.

Sec. 3.3. - Selection of the mayor; term of office; duties.

The mayor shall be elected directly by the voters of the town in the manner provided by article IV of this Charter, for a term of four years; provided, the mayor shall serve until his successor is elected and qualified. The mayor shall be the official head of the town government and shall preside at all meetings of the Board of Commissioners. He shall have the right to vote only if there are an equal number of votes in the affirmative and the negative on any matter before the board. The mayor shall exercise such powers and perform such duties as presently are or hereafter may be conferred upon him by the General Statutes, by this Charter, and by the ordinances of the town.

Sec. 3.4. - Mayor pro tempore.

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In accordance with applicable state laws, the Board of Commissioners shall appoint one of its members to act as mayor pro tempore to perform the duties of the mayor in the mayor's absence or disability. The mayor pro tempore as such shall have no fixed term of office, but shall serve in such capacity at the pleasure of the remaining members of the board.

Sec. 3.5. - Meetings of the board.

In accordance with the General Statutes, the Board of Commissioners shall establish a suitable time and place for its regular meetings. Special meetings may be held according to the applicable provisions of the General Statutes.

Sec. 3.6. - Ordinances and resolutions.

The adoption, amendment, repeal, pleading, or proving of town ordinances and resolutions shall be in accordance with the applicable provisions of the general laws of North Carolina not inconsistent with this Charter. The ayes and nays shall be taken upon all ordinances and resolutions and entered upon the minutes of the board. The enacting clause of all town ordinances shall be: "Be it ordained by the Board of Commissioners of the Town of Wendell."

Sec. 3.7. - Voting requirements; quorum.

Official action of the Board of Commissioners shall, unless otherwise provided by law, be by majority vote, provided that a quorum, consisting of a majority of the actual membership of the board, is present. Vacant seats are to be subtracted from the normal board membership to determine the actual membership.

Sec. 3.8. - Qualifications for office; vacancies; compensation.

The compensation of board members, the filling of vacancies on the board, and the qualifications of board members shall be in accordance with applicable provisions of the General Statutes.

ARTICLE IV. - ELECTIONS

Sec. 4.1. - Regular municipal elections.

Elections shall be held biennially in odd-numbered years on the day set by general law for municipal elections.

Sec. 4.2. - Conduct and method of election.

Elections for mayor and Board of Commissioners shall be by the nonpartisan plurality method set out in the General Statutes. All elections and referendums of the Town of Wendell shall be held and conducted as provided by the applicable General Statutes.

If a vacancy occurs on the Board of Commissioners and under G.S. 160A-63 there is an election to fill the remainder of the unexpired term, then the election to fill the

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remainder of the unexpired term shall be held on the same ballot, the candidates receiving the highest number of votes equal to the number of persons to be elected to four-year terms receive those terms, and the candidate or candidates receiving the next highest numbers of votes equal to the number of persons to be elected to two-year terms receive those terms. There shall be no separate designation on the ballot for the two-year terms, and each voter shall have as many votes as there are persons to be elected.

(Session Laws of 1997, ch. 569)

Sec. 4.3. - Election of mayor and Board of Commissioners.

The Board of Commissioners shall be elected for four-year terms on a staggered basis as follows: At the regular municipal election to be held in 1985, two members shall be elected to serve four-year terms. At the regular municipal election to be held in 1987, the two candidates who receive the highest number of votes shall be elected for four-year terms, while the candidate receiving the third highest number of votes shall be elected for a two-year term. At the regular municipal election to [be] held in 1989, and every four years thereafter, three members of the Board of Commissioners shall be elected to serve four-year terms. Beginning at the regular municipal election to be held in 1991 and every four years thereafter, two members of the Board of Commissioners shall be elected to serve for four-year terms. Beginning at the regular municipal election to be held in 1987 and every four years thereafter, the mayor of the Town of Wendell shall be elected for a four-year term.

ARTICLE V. - ORGANIZATION AND ADMINISTRATION

Sec. 5.1. - Form of government.

The town shall operate under the council-manager form of government in accordance with part 2 of article 7 of chapter 160A of the General Statutes [G.S. 160A-147 et seq.].

Sec. 5.2. - Town manager, appointment; compensation.

The Board of Commissioners shall appoint an officer whose title shall be "town manager" and who shall be the head of the administrative branch of the city government. The manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the town at the time of his appointment. The town manager shall serve at the pleasure of the Board of Commissioners and shall receive such salary as the Board of Commissioners shall fix. In case of absence or disability of the town manager, the commissioners may designate a qualified administrative officer of the town to perform the duties of the manager during such absence or disability. The manager shall have all powers and duties as conferred upon him by the General Statutes of North Carolina.

Sec. 5.3. - Town attorney.

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The Board of Commissioners shall appoint a town attorney who shall be licensed to engage in the practice of law in the State of North Carolina. The town attorney need not be a resident of the town during his tenure. It shall be the duty of the town attorney to prosecute and defend suits against the town; to advise the mayor, Board of Commissioners and other town officials with respect to the affairs of the town; to draft all legal documents relating to the affairs of the town; to inspect and pass upon all agreements, contracts, franchises and other instruments with which the town may be concerned; to attend meetings of the Board of Commissioners; and to perform other duties required by law or as the Board of Commissioners or mayor may direct.

Sec. 5.4. - Town clerk.

The Board of Commissioners shall appoint a town clerk to keep a journal of the proceedings of the board, to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform other duties required by law or as the Board of Commissioners may direct.

Sec. 5.5. - Town finance officer.

The Board of Commissioners shall appoint a town finance officer to perform the duties of the finance officer as required by the Local Government Budget and Fiscal Control Act.

Sec. 5.6. - Town budget officer.

The Board of Commissioners shall appoint a town budget officer to perform the duties of the budget officer as required by the Local Government Budget and Fiscal Control Act.

Sec. 5.7. - Town tax collector.

The Board of Commissioners may appoint a town tax collector to collect all taxes, licenses, fees and other monies belonging to the town, subject to the General Statutes, the provisions of this Charter and the ordinances of the town.

Sec. 5.8. - Consolidation of functions.

The Board of Commissioners may consolidate any two or more positions of town clerk, town tax collector, town budget officer and town finance officer, or may assign the functions of any one or more of these positions to the holder or holders of any other of these positions, subject to the Local Government Budget and Fiscal Control Act.

Sec. 5.9. - Other administrative officers and employees.

Consistent with applicable state laws, the Board of Commissioners may establish positions, provide for the appointment of other administrative officers and employees, and generally organize the town government in order to promote the orderly and efficient administration of the affairs of the town.

ARTICLE VI. - PLANNING AND REGULATION OF DEVELOPMENT

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Sec. 6.1. - Conditional use zoning districts.

In addition to the powers granted to the town in G.S. 160A-381 et seq., the town may provide for the creation of conditional use zoning districts.

It is the purpose and intent of this section to permit the town to create, through the legislative process, both general use districts, in which a variety of uses are permitted, and conditional use districts, in which limited uses are permitted only upon approval by the town.

A person petitioning for rezoning of a tract of land where conditional use districts are authorized by ordinance may elect to request a general use district or a conditional use district for the tract. If the petitioner elects to petition for the general use zoning, and if the petition is approved, the rezoned property may be used for any of the uses permitted in the applicable general use district. If the petitioner elects to petition for conditional use district zoning, the petition must specify the actual use or uses which are intended for the property specified in the petition. If the petition is for conditional use district zoning, the town is to approve or disapprove the petition on the basis of the specific use or uses requested.

ARTICLE VII. - LOCAL IMPROVEMENTS AND ASSESSMENTS FOR LOCAL IMPROVEMENTS

Sec. 7.1. - Local improvements; assessment of costs.

In addition to any authority which is now or may hereafter be granted by general law to the town for making local improvements, the Board of Commissioners may make the local improvements described in this Charter as in its discretion it may deem appropriate, with or without any petition so to do and to assess the total cost of said improvements against the benefited property within its corporate limits in accordance with the provisions of section[s] 7.1 through 7.7 herein.

Sec. 7.2. - Separate proceeding not required.

One or more local improvements may be made in a single proceeding, and assessments for one or more local improvements may be combined.

Sec. 7.3. - Improvements described.

The Board of Commissioners shall have the authority to make special assessments against benefited property within its corporate limits for:

- (1) Constructing, reconstructing, paving, widening, installing curbs and gutters and otherwise building and improving streets;
- (2) Constructing, reconstructing, paving, widening and otherwise building or improving sidewalks on any public street;
- (3) Constructing, reconstructing, extending and otherwise building or improving water systems;

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- (4) Constructing, reconstructing, extending or otherwise building or improving sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems;
- (5) Constructing, reconstructing, extending and otherwise building or improving storm sewer and drainage systems; and
- (6) Constructing, reconstructing, extending or otherwise making any other improvements within the corporate limits for which the town is allowed to make special assessments pursuant to article 10 of chapter 160A of the General Statutes [G.S. 160A-216 et seq.].

Sec. 7.4. - Assessment procedure.

In ordering improvements to be made without a petition and assessing the cost thereof under authority of this article, the Board of Commissioners shall comply with the procedure provided by article 10, chapter 160A of the General Statutes [G.S. 160A-216 et seq.], except those provisions relating to the requirement for petition of property owners and the sufficiency thereof and the payment of assessments by installments as modified herein.

Sec. 7.5. - Payment of assessment in cash or by installments.

The property owner assessed shall have the option of paying for improvements in cash or in not more than 10 annual installments as may have been determined by the Board of Commissioners in the resolution directing the project giving rise to the assessment to be undertaken. Provided, the Board of Commissioners may provide in said resolution directing the project to be undertaken that payment shall be made in cash or in fewer than 10 annual installments as in its discretion it may deem appropriate.

Sec. 7.6. - Enforcement of assessments.

Assessments shall be enforced as provided in the procedure set forth in article 10 of chapter 160A of the General Statutes [G.S. 160A-216 et seq.].

Sec. 7.7. - Effect of assessments.

The effect of the act of levying assessments under the authority of this article shall for all purposes be the same as if the assessments were levied under authority of article 10 of chapter 160A of the General Statutes [G.S. 160A-216 et seq.].

ARTICLE VIII. - CHARTER AMENDMENTS

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Sec. 8.1. - Incorporation of amendments.

- (a) As soon as possible after the adjournment of each General Assembly, the town attorney shall present to the Board of Commissioners copies of all local laws relating to the property, affairs and government of the Town of Wendell that were enacted by such General Assembly, whether or not amending any terms of this Charter, and recommend formal changes in this Charter. Such recommendations may include suggestions for renumbering or rearranging the provisions of such laws, for providing titles and catchlines, and for such other changes in arrangement and form that do not change the law, as may be thought necessary to implement the purposes of this section.
- (b) After considering the recommendations of the town attorney, the commissioners may provide for the incorporation of such laws into this Charter.
- (c) The purpose of this section is, to enable the town to maintain at all times a current and accurate town Charter, organized in clear and orderly fashion and embracing all pertinent local laws relating to the property, affairs and government of the town.

Sec. 2. The purpose of this act is to revise the Charter of the Town of Wendell and to consolidate herein certain acts concerning the property, affairs and government of the town. It is intended to continue without interruption those provisions of prior acts which are consolidated into this act, so that all rights and liabilities that have accrued are preserved and may be enforced.

Sec. 3. This act shall not be deemed to repeal, modify, or in any manner affect any acts validating, confirming, approving, or legalizing official proceedings, actions, contracts, or obligations of any kind.

Sec. 4.

- (a) The following acts are repealed:
 - (1) Chapter 316, Private Laws of 1903.
 - (2) Chapter 221, Private Laws of 1907.
 - (3) Chapter 156, Private Laws of 1913.
 - (4) Chapter 105, Private Laws, Extra Session of 1913.
 - (5) Chapter 244, Private Laws of 1915.
 - (6) Chapter 265, Private Laws of 1915.
 - (7) Chapter 35, Private Laws of 1921.
 - (8) Chapter 233, Private Laws of 1933.
 - (9) Chapter 77, Private Laws of 1935.
 - (10) Chapter 63, Public-Local Laws of 1939.
 - (11) Chapter 454, Session Laws of 1951.
 - (12) Chapter 294, Session Laws of 1953.
 - (13) Chapter 132, Session Laws of 1961.
- (b) The following acts are not repealed:
 - (1) Chapter 5, Session Laws of 1949.

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- (2) Chapter 273, Session Laws of 1965.
- (3) Chapter 689, Session Laws of 1977.
- (4) Chapter 364, Session Laws of 1973.

Sec. 5. No provision of this act is intended, nor shall be construed, to affect in any way, any rights or interest (whether public or private):

- (1) Now vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provisions of law repealed by this act; or
- (2) Derived from, or which might be sustained or preserved in reliance upon, action heretofore taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provision of law repealed by this act.

Sec. 6. No law heretofore repealed expressly or by implication, and no law granting authority which has been exhausted, shall be revived by:

- (1) The repeal herein of any act repealing such law; or
- (2) Any provision of this act that disclaims an intention to repeal or affect enumerated or designated laws.

Sec. 7.

- (a) All existing ordinances and resolutions of the Town of Wendell and all existing rules and regulations of departments or agencies of the Town of Wendell not inconsistent with the provisions of this act shall continue in full force and effect until repealed, modified or amended.
- (b) No action or proceeding of any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this act by or against the Town of Wendell or any of its departments or agencies shall be abated or otherwise affected by the adoption of this act.

Sec. 8. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 9. Whenever a reference is made in this act to a particular provision of the General Statutes, and such provision is later amended, repealed or superseded, the reference shall be deemed amended to refer to the amended General Statute, or to the General Statute which most clearly corresponds to the statutory provision which is repealed or superseded.

Sec. 10. In the General Assembly read three times and ratified, this the 19th day of April 1985.

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TOWN OF WENDELL

CHARTER REVIEW

Cauley♦Pridgen^{PA}
LAWYERS

ORGANIZATION OF WENDELL'S CHARTER

PART I – CHARTER AND LOCAL LAWS

A. CHARTER

B. LOCAL ACTS OF THE GENERAL ASSEMBLY

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SUBPART A – CHARTER

ARTICLE I - Incorporation and General Powers

ARTICLE II - Corporate Boundaries

ARTICLE III - Mayor and Board of Commissioners

ARTICLE IV - Elections

ARTICLE V - Organization and Administration

ARTICLE VI - Planning and Regulation of Development

ARTICLE VII - Local Improvements and Assessments

for Local Improvements

ARTICLE VIII - Charter Amendments

**PROCEDURES FOR AMENDING
TOWN'S CHARTER**

BY ORDINANCE

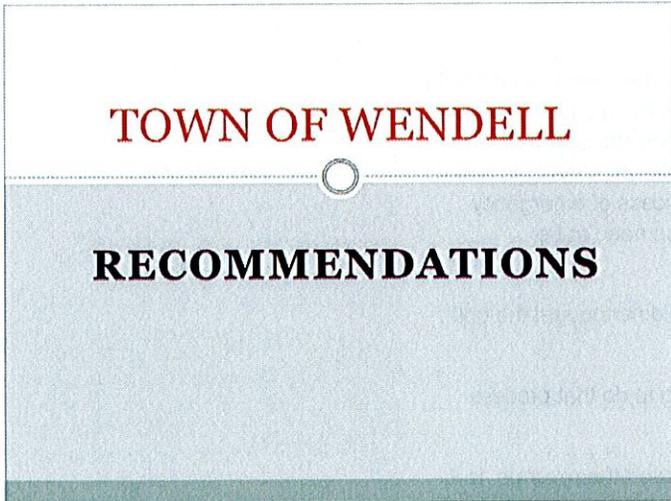
-- Name, Style, Board, Terms of Office, Number,
Mode of Election
see GS 160A-102

-- Incorporating local acts
see GS 160A-496

BY GENERAL ASSEMBLY

-- Everything else

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Town Attorney Cauley said that Subpart A of the Town Charter was approved by the Legislature, updated in 1985. The second part of the Town Charter is Local Acts, with the Town's Charter only including two. One of the local acts has to do with the Wendell/Knightdale Airport Authority, and the other local act has to do with exchanging of property with the Chamber of Commerce. Mr. Cauley said that the Town Charter is comprised of eight chapters, which he reviewed for any recommended changes. He said that he wouldn't recommend any changes because of the process of amending this particular part through the General Assembly and the nature of the recommended changes. Mr. Cauley said that the Charter is gender specific, throughout. If revising, the Charter should be gender neutral. Another recommendation has to do with Article Five, listing the Town as a Manager-Council form of government. One of the provisions in Article Five is 5.6: Town Budget Officer. Mr. Cauley said that there has been a statutory change under the local government budget and fiscal control act that says that the Town Manager is the Town Budget Officer. This language in the charter has therefore been superseded by statute but can be taken out if doing a rewrite. Mr. Cauley said that under Article six, there's a provision for conditional use zoning districts which is now statutorily allowed. If a rewrite was being done, it can be taken out.

Mr. Cauley said that the Charter is otherwise in good shape and doesn't need a whole lot of work. He said if you wanted to change the Town's name, style, Terms of Office, Number of Board Numbers and Mode of Election by Ordinance. The Town Board can also incorporate Local Acts by Ordinance, if it wishes to do so. Mr. Cauley said that he's started going through the Local Acts since 1985 to see if any Local Acts need to be incorporated in the Town's Charter.

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Town Manager Marc Collins asked if the Board had anything about the Code of Ordinances that they would like staff to review.

Mayor Pro Tem Boyette said some of the cross-sections for residential streets as it has to do with width, parking, and the type and style of curbing, which has been a kind of easy ramping so they don't have to do curb cutouts for driveways. Mr. Boyette said that this causes people to park on the grass and sometimes on the sidewalk when trying to street park. He said street parking is going to require wider streets for access of emergency vehicles. Mr. Boyette said that maximum parking requirements also need to be considered because parking lots aren't the best land use.

Commissioner Tarnaski asked about when to discuss fees and said he thought the golf cart fees was too high at \$100.00 a year.

Commissioner Joyner said there was an initial high barrier in trying to do that process during its first ideation regarding insurance requirements.

Mr. Collins said that if the cost of providing the service were to exceed the revenue, is it fair to tax revenues to subsidize that use. There's an appropriate revaluation to incentivize golf cart use. He said an analysis would be conducted on the fees and PD staff time for registration. He said there is also police department time and travel involved with registration inspections for golf carts in Town.

Commissioner Lutz said he had a problem with the temporary sign code of ordinance and asked if the Board could revisit that, again. He said he felt a business should be able to put a sign up to promote their business after paying a sign permit and take it down in a particular amount of time. He proposed having businesses due it twice a year with a certain amount of signs and a timeline on how long the signs can be displayed.

Town Manager Marc Collins said that staff would do a comparative analysis and bring back reports to the Board for further review. He said code enforcement does quarterly sweeps and everything else regarding enforcement was complaint-based. He asked the Board if they felt that it was okay for a mixed-use to have additional signage.

The Board responded in the affirmative.

Mr. Collins said if a Mixed-Use property allows a commercial use in a residential property, then one way to address that is to look at the signage allowances for that type of property and make sure that its appropriate. If the overall business landowner doesn't want the signage, they want their signage to take up the liable square foot, then sometimes it's a tenant-landlord issue more than a signage policy issue.

Assistant to the Manager Stephanie Smith presented the following ethics policy with recommendations for changes:

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TOWN OF WENDELL

NORTH CAROLINA

CODE OF ETHICS POLICY FOR ELECTED AND APPOINTED OFFICIALS

Adopted July 14, 2008

Effective August 1, 2008

Policy Purpose

The Wendell Board of Commissioners has adopted a Code of Ethics for members of the town's board of commissioners and the town's advisory boards / commissions to assure public confidence in the integrity of local government and its effective and fair operation.

POLICY STATEMENT

Preamble:

The citizens and business of Wendell are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the Town of Wendell's commitment to excellence, the effective functioning of democratic government therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for the public good, not for personal; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Wendell Board of Commissioners has adopted a Code of Ethics for members of the Board of Commissioners and of the town's advisory boards / commissions to assure public confidence in the integrity of local government of respect and civility.

1. **Act in the Public Interest-** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Wendell and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Town of Wendell Board of Commissioners, as well as various advisory boards / commissions.
2. **Comply with the Law-** Members shall comply with the laws of the nation, the State of North Carolina and the Town of Wendell in the performance of their public duties. These laws

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include, but are not limited to: the United States and North Carolina constitutions; the Wendell town charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and town ordinances and policies.

3. **Conduct of Members** - The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of boards and commissions, the staff or public.
4. **Respect for Process** - Members shall perform their duties in accordance with the processes and rules of order established by the Wendell Board of Commissioners and advisory boards / commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the town board of commissioners by the town staff.
5. **Conduct of Public Meetings** - Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. **Decisions Based on Merit** - Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. **Communication** - Members shall publicly share substantive information that is relevant to a matter under consideration by the board or commission, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest** - In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may create a conflict of interest or which give the appearance of a conflict of interest. As may be related to matters before them, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
9. **Gifts and Favors** - Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
10. **Confidential Information** - Members shall respect the confidentiality of information concerning the property, personnel or affairs of the town. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

Commented [SS1]: Alternative language option: The Board should feel free to assert policy positions and opinions without fear of reprisal from fellow Board members or citizens. To assert that any Board member is behaving unethically due to the fact that one has a disagreement with that person based on a question of policy (and not on the person's ethical behavior) is unfair, dishonest, irresponsible, and itself unethical.

Commented [SS2]: Option to add: Members shall recognize that individual Board members are not generally allowed to act on behalf of the Board, but may only do so if they Board specifically so authorizes, an that the board must take official action as a body.

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11. **Use of Public Resources-** Members shall not use public resources not available to the public in general, such as town staff time, equipment, supplies or facilities, for private gain or personal purposes.
12. **Representation of Private Interests-** In keeping with their role as stewards of the public interest, members of any board or commission shall not appear on behalf of the private interests of third parties before the any board, commission or proceeding of the town, nor shall members of any boards and commissions appear before their own bodies or before the board of commissioners on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
13. **Advocacy -** Members shall represent the official policies or positions of the appropriate board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Wendell, nor will they allow the inference that they do.
14. **Policy Role of Members -** Members shall respect and adhere to the council manager structure of Wendell town government as outlined by the Wendell town charter. In this structure, the Town Board of Commissioners determines the policies of the town with the advice, information and analysis provided by the public, boards and commissions, and town staff. Except as provided by the town charter, members therefore shall not interfere with the administrative functions of the town or the professional duties of town staff; nor shall they impair the ability of staff to implement board of commissioners policy decisions.
15. **Independence of Boards and Commissions -** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of the board of commissioners shall refrain from using their position to unduly influence the deliberations or outcomes of advisory board or commission proceedings.
16. **Positive Work Place Environment-** Members shall support the maintenance of a positive and constructive work place environment for town employees and for citizens and businesses dealing with the town. Members shall recognize their special role in dealings with town employees to in no way create the perception of inappropriate direction to staff.
17. **Implementation -** As an expression of the standards of conduct for members expected by the town, the Wendell Code of Ethics is intended to be self- enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for the board of commissioners, applicants to advisory board / commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the Town of Wendell Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the board of commissioners and advisory boards / commissions, and the board of commissioners shall consider recommendations from the advisory boards / commissions and update it as necessary.
18. **Compliance and Enforcement -** The Town of Wendell Code of Ethics expresses standards of ethical conduct expected for members of the Wendell Board of Commissioners and advisory boards / commissions. Members themselves have the primary responsibility to

Commented [S3]: Option to add to this section: Board members should live as if they are on duty as elected officials or staff members regardless of where they are or what they are doing.

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assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

Any citizen of Wendell has the right and responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention. The board of commissioners may impose sanctions on members of any board member when their conduct does not comply with the town's ethical standards. Sanctions may take the form of a reprimand, formal censure, loss of seniority or committee assignment, budget restriction, or removal from an advisory board. Except as provided by law, violation of this code of ethics shall not be considered a basis for challenging the validity of a board of commissioners or advisory board / commission decision.

Effective on the 1st day of August, 2008. Adopted, this the 14th day of July, 2008.

Ms. Smith offered to answer any questions the Board might have.

Town Manager Marc Collins mentioned a former Commissioner receiving a contract that involved state grant money. He said after review with the Town Attorney, there was no ethical violation of that due to appropriate recusing. However, there was a public perception of ethical issue. He said it's appropriate to consider that as a part of this policy. Mr. Collins opened up the opportunity for the Board to discuss perceived ethical issues with the Town Attorney regarding process. He said if there is anything the Board would like to add to amending this policy, to email Stephanie with their thoughts over the next month.

Commissioner Joyner said that the fourth recommendation concerns him with the language stating that a majority of the Board can make the decision. He said that everything is becoming politically polarized and the use of a simple majority to be able to essentially have a political prosecution of a member of a minority of the Board wasn't something he wanted to facilitate.

Town Attorney Jim Cauley said that having the sitting Town Attorney investigate a sitting Board Member isn't the best process. Hiring an outside municipal attorney that wasn't sitting as the Town Attorney would be better recommended. If it comes to that and the Town needs a review process to facilitate.

Mr. Collins said that if the Board had an ethical question, to come to the Town Attorney or himself or to discuss it amongst themselves. If a recommendation is to be made, the Town Manager and Attorney would seek outside guidance, particularly with a legal action. He said that the Board polices itself as an elected body and the electorate polices the Board through elections. There's nothing the Attorney, Manager or Clerk can do to reprimand as an elected body.

Ms. Smith said the language is meant to bring in a neutral third party to examine the allegations through a fair process. If there was a majority/minority difference of opinion, having a third party that is able to research the facts for the Board to consider and take action on is more of the intent of the fourth recommendation.

Commented [SS4]: Alternative process option: If, by a majority vote the Town of Wendell Board of Commissioners has reasonable cause to believe that one or more of its members of the Board has violated a provision of this Code of Ethics, it may at a regular meeting direct the Town Attorney to open an investigation into the matter. All information compiled, including the grounds for the finding of reasonable cause, shall be shared with the member when it is received. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Carolina public records statutes. If, upon investigation of a violation of this Code of Ethics, the Town of Wendell Board of Commissioners has reasonable cause to believe that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney. Should the Town of Wendell Board of Commissioners determine that it wishes to proceed further with censure proceedings, it shall, by a majority vote, call for a hearing to be held at a regular meeting or at a special meeting convened for that purpose..

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Mr. Collins asked Mr. Joyner if he wanted to leave the language as is without the addition of recommendation four to prevent the citizen witch hunt of sitting Board members.

Mr. Joyner said the citizen piece doesn't concern him as much as the simple majority language piece of the fourth recommendation. He said if it was a super majority it would be better.

Mr. Collins said staff could leave this recommendation out of the revised ethics policy and asked if the Town Board had any issue with leaving it out.

Mayor Gray said that she felt like if staff wasn't allowed to enter into contractual agreements that involved the Town, that elected officials should have that rule, as well.

Town Attorney Jim Cauley said that there is a statutory prohibition on contracting with the Town. He said that the Board member couldn't approve a contract with themselves or their company. He said that the situation in this example was one step removed because it wasn't a contract with the Town, it was a contract that was funded in part by money that the Town had secured. Therefore, it didn't fit the self-dealing statute.

Mr. Collins said that the one-step removal is what starts to enter into a gray area.

Mr. Cauley said that if it was added into the ethics policy that "any conflict provisions applicable to Town employees would also apply to Commissioners," then town-approved grant acceptance by an elected official or their company could be avoided.

Mr. Collins said that his ethical standard is different than an elected official's ethical standard, due to the different roles of a Town employee versus an elected official.

Mayor Pro Tem John Boyette said that elections are already set up as a solution for this. Perception determines election every four years where ethical and morals are examined of every elected official. He agreed that there is a whole lot of gray area.

Town Manager Marc Collins said that staff will do a comparative analysis as to where other Towns draw the line in gray areas. Currently, they're legally in compliance with these standards. He said that if the Board hears something from the public that needs to be examined, to bring that back up.

Town Attorney Jim Cauley said that he sees more Boards texting and emailing/communicating outside of a meeting and among Board members when a meeting is going on. He advised the Board to be aware of that, particularly during a Quasi-Judicial hearing regarding Public Records requests, as these communications are a Public Record.

ACTION

The Board took a ten-minute recess at 10:30 a.m., reconvening at 10:40 a.m.

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Town Manager Marc Collins mentioned that the Town Board shouldn't open an email phishing attempt claiming to be inviting the Board to Princesses in the Park. He offered to have the IT Consultant to look at screenshots of suspicious emails that the Board might have questions about.

2c. Administrative Procedure Review

Town Clerk Megan Howard presented the following information and recommendations to the Board:

Administrative Procedure Review

1. Communications

- Emails/Calls/Text Messaging to the Board materials such as RSVP requests, Agenda Packets, newsletters and polls for scheduling.
 - Requests for direction at Town Board Meetings regarding Citizen Advisory Boards, Seminars with TJCOG/SOG
 - Manager's Weekly Update
- Are there any recommendations or direction from the Board concerning Communications? Email is the main method of communications to the Board. If there's an emergency or a pressing situation, we will contact the Board via phone.

Commissioner Joyner said that he appreciates getting text messages directing him to check his email when there's a pressing issue that's been emailed out.

2. Agenda Packets

- Prepared the Wednesday prior to the Board Meeting.
- Emailed as a PDF to members of the Board, Town Attorney and Department Heads
- Posted on the Town's Website
- Printed for the Mayor and several Department Heads

Town Manager Marc Collins said that he's moved the cover sheet deadline to an earlier time in order to have enough time to review the materials. The weakness in the process is legal review in giving Jim Cauley enough time for response.

Mayor Gray mentioned that the deadline for Commissioners has been moved, as well.

Mr. Collins said that if there is something the Board wants to discuss, they don't have to wait for a retreat. Just let the Mayor or the Town Manager know to add it to the Agenda and let the Manager know if it's an item for discussion or if it's something that staff needs time to review policy and make recommendations when there's an action required. He asked if the Board could use the same deadline, the Thursday before the Wednesday of Agenda Packet compilation.

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Mayor Gray asked if she could get copied on Agendas being sent to the Citizen Boards so that the Town Board would know what they're getting ready to discuss.

Mr. Collins said ~~he and the Town Clerk that the Town Clerk and him~~ have been discussing posting all of these agendas on the website in addition to sending them to the Town Board by the Staff Liaisons to each Citizen Advisory Board. He said he would have staff liaisons send him and the Assistant to the Manager the agenda and would then forward them to the Board.

3. Citizen Advisory Board Rule 36 Appointments in Rules of Procedure

According to the Town Board Rules of Procedure, the following process is used for Citizen Advisory Board Recruitment. Some recommendations have been noted for the Board's review:

RULE 36. Appointments

The process for appointments to boards and commissions shall be as follows:

1. The town clerk advertises opportunities for service at the beginning of each year, or as necessary. Each time the Board of Commissioners wishes to fill an advisory board vacancy, the Board of Commissioners establishes a deadline for receipt of the advisory board applications.

Mayor Gray said that with unexpected vacancies, to make the deadline for applications be within 2 months of the opening.

Commissioner Jon Lutz recommended that the deadline be set to the fourth Friday in April each year, with this year being April 24th. This would give the Town Board to the end of May to vote at its second May meeting, and gives appointees the month of June to attend the Citizen Advisory Board meeting they've been appointed to and meet with the Staff Liaison of that Advisory Board.

2. Interested citizens fill out applications and return them to the town clerk. If an applicant is interested in serving on multiple boards, the applicant should prioritize his/her preferences for board appointments.

The Board agreed to remove this language to prevent confusion.

3. The town clerk marks each application with a date stamp to show the date the application is received and enters all of the applications into a tracking table, which lists the names of citizens and the boards for which they wish to apply. This document is an internal document used by the clerk's staff for tracking purposes.
4. A letter is sent to applicants acknowledging receipt and thanking them for their application and noting the approximate schedule for appointments by the Board of Commissioners.

Commented [MH5]: I would recommend that we set a consistent deadline for each year for vacancies, with the exception of the Planning Board. It was May 23rd last year. If a Planning Board vacancy becomes available before the end of the term's expiration date, the item will be added to the Agenda for the Town Board to establish a deadline to fill the Planning Board vacancy as is deemed necessary to provide for a quorum for voting purposes.

Commented [MH6]: I would remove the language "serving on," because it misleads the applicant to think that they can serve on multiple boards at the same time, which is not allowed.

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5. The town clerk fills-out the advisory board vacancies chart, which lists boards with openings and the schedule for consideration of appointment by the Board. This chart is an internal document used by the clerk's staff for tracking purposes.
6. Copies of applications are filed in the folder of each board for which each person applied.
7. Board members may not serve more than two consecutive full terms on any one particular advisory board. Consideration will be given to sitting members of an advisory board for reappointment to a second term; however, appointment for a second term is not guaranteed.
8. Immediate family members, as defined by the Town of Wendell Personnel Policy, of any elected official cannot be appointed to an advisory board / commission.
9. Town employees (full-time or part-time) cannot be appointed to an advisory board / commission.
10. Contractors / contract employees of the town cannot be appointed to an advisory board/commission.
11. At a regular meeting, the Board of Commissioners will vote on appointments to the various boards and commissions. Voting on advisory board appointments will be done by written ballot. Applicants must receive an affirmative vote from a majority of the Board members present and voting to be appointed. After each round of balloting, votes will be counted to determine if sufficient votes have been received by candidates for appointment, his/her name will be removed from the ballot for any subsequent balloting, and he/she will be considered appointed. Additionally, the names of the lowest vote-getter from that round of voting (along with the names of anyone else who ties as the lowest vote-getter for that particular round of voting) will also be removed from any subsequent ballot until the point in time when the proper number of board appointments has been made. If the applicant is appointed, a letter is mailed to their residence.

Commented [MH7]: Considering that the Board generally votes on one ballot for Citizen Advisory Board appointments, this language/process should be removed.

Mr. Collins said that if you have 20 applicants on the ballot and it requires a majority of votes, this is a process of weeding out an abundance of applicants in order to get to the right number of appointments. He said this would be a minor adjustment of language to make the same point.

Mayor Pro Tem Boyette asked if the Mayor only has tie-breaking ability for just yes/no questions.

Town Attorney Cauley said that the Mayor has tie-breaking ability in the event of a tie, not strictly for yes/no questions.

12. In general, appointees will start their new positions on July 1st of the new fiscal year.
13. No person can serve on multiple standing town advisory boards/commissions at the same time.
14. For those applicants not chosen, a letter is sent to them informing them that they were not chosen. Advisory Board applications will be kept on file for a period of at least twelve (12) months for consideration of appointments to fill vacancies that may arise during the middle of a year. In order to ensure that information received is up-to-

Commented [MH8]: Unless it is for a Planning Board vacancy, we don't generally reach out to previous applicants for vacancies on the other Boards in the middle of the year.

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date, after annual appointments are made, anyone wishing to have an application considered in the future should submit a new application.

Commissioner Jon Lutz said that reaching out to applicants to tell them that they're reopening the application process is fine, but be careful not to let them think it's a shoe-in.

The Board asked Town Clerk Howard to require a new application be submitted.

Commissioner Joyner said it seemed a waste of time to have the clerk go out and call people and require application responses when there will be marketing when a position becomes open.

Mayor Gray said that in the past, the Town had such a hard time filling openings, and this was a way to keep people that were at least interested in serving on a Citizen Advisory Board.

Mr. Collins said that it's easier to have a policy that says that town staff reaches out to all applications on file, stating "as your application was on file for the past 12 months, policy requires that we reach out to notify you of an opening" in an email, one time with everyone listed.

Town Clerk Howard asked if it would help the Board to meet applicants to the planning Board as an interview process to ensure that appointees reflect the Board's policies and ensure qualifications of serving.

Commissioner Lutz said that meeting the Board at the end of a Town Board meeting seems to work out best, preferably the meeting before voting takes place at the next Regular meeting.

Mayor Gray asked that it be added to the Mayor's ~~Red-red~~ letter to remind applicants and Board Members to stay a little late after adjourning.

4. Process for notification of absence at an upcoming Board Meeting.

- If a Board Member plans to be absent from a Regular Tow Board meeting, the individual should send communication to the Town Clerk by text, phone call, or email by noon of that day, if possible.

Mr. Collins said that this also allows for ensuring a quorum.

Town Clerk Howard gave the Town Board her phone number and was instructed to email the Town Board this same information for notifying her of a Board Member's absence to a regular meeting.

5. Technology on the Dais: Town Manager to Lead Discussion

Mr. Collins said that if a citizen is looking up at the elected body on the Dais and there's texting going on, the perception can be 1) that the Board is being disrespectful to staff or the public presenter; 2) that you're talking with the developer in the crowd or the motions

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or are having a conversation amongst yourselves rather than talking about the topic at hand before the public. He said that he's learned that college-aged council members have a generational gap of that perception, as millennials are able to multi-multi-task while using technology. Mr. Collins asked the Board to be alert to both perceptions and asked if the Board wanted to self-regulate in some way the use of technology on the dais. He said one option would be to not address it, as it's a younger Board. Another option is only allowing technology when an emergency arises or that there be an allowable use for agenda packets unless there's a quasi-judicial proceeding that could create a legal risk when using technology.

Commissioner Lutz said he uses his laptop for agenda packets and looking at a map, but he agrees when it comes to quasi-judicial proceedings.

Commissioner Joyner asked that quasi-judicial items should be provided as paper documents so that the technology can be put away to eliminate that perception.

Town Attorney Jim Cauley said that when reviewing a map, it could be permissible.

Mr. Joyner said that people can link their text messaging imessaging to their computers which could still create an issue.

Mr. Collins said that in having the new Town Hall would present new technologies being provided for elected officials. Having paper copies in the room at a meeting is required in case technology fails. Having town-issued tablets for commissioners would allow for Town-only materials, email, etc. would be on these technologies, with no personal software synced to those tablets. Mr. Collins said that limiting technology use during quasi-judicial proceedings, it would help staff and citizen perceptions.

6. Board Representation at Pre-Agenda Meetings

ACTION

The Board took a recess at 11:30 a.m. to take a tour of Garner Town Hall.

Town Manager Collins asked to move item 2d to the end while he presents items 4a and 4b to the Board during lunch.

The Board agreed.

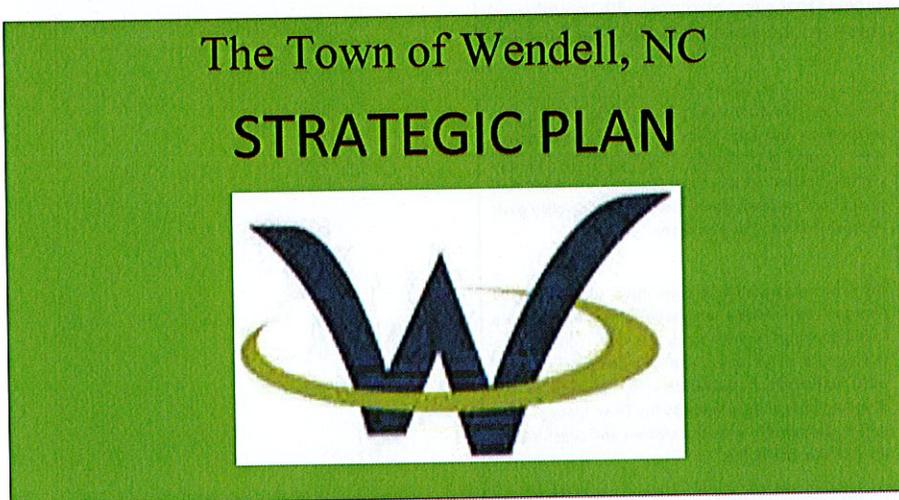
3. BREAK – LUNCH

4a. Strategic Plan Process

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Town Manager Marc Collins presented the following information to the Board:

...Small Town, Big Charm



Updated by the Board of Commissioners February 2019

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Town of Wendell - Small Town, Big Charm

PURPOSE OF THE STRATEGIC PLAN



The Town of Wendell recognizes that the realization of a community vision is only achieved when the strategic goals of the community are in alignment with available and planned resources. As such, the purpose of the strategic plan is to provide for a process that aligns resources with commitment from Town organization leaders to bridge the gap between the assessed current conditions and envisioned community of the future.

SMART Goals	
S pecific	What <i>exactly</i> will you do?
M easurable	How will you know if you <i>meet</i> your goal?
A chievable	What <i>steps</i> are you going to take to reach your goal?
R elevant	What about your goal makes it <i>important</i> to you?
T imely	<i>When</i> do you want to complete your goal?

The 2019 Town of Wendell Strategic Plan represents a compilation and prioritization of the annual strategic planning sessions for 2016 through 2018. The strategic planning sessions include input from the Board and staff to develop the Town Vision Statement and policy goals incorporated into this document.

The Town organization is committed to SMART goal principles to establish actionable outcomes that are linked to long-term financial planning. Through the strategic planning process, the Town Commission works with community stakeholders to provide policy direction for implementation by the Town Manager and staff in partnership with the citizens and organization that call Wendell home.

Initiatives are identified to be advanced within the annual planning period. While not all goals can be finished in one year, action items identify limitations and expectations of management-in-progress that are timely.

Wendell Board of Commissioners
 (Left to Right)

- Jason Joyner, Commissioner
- John Boyette, Commissioner
- David Myrick, Commissioner
- Virginia Gray, Mayor
- Dr. Jon Lutz, Mayor Pro-Tem
- Ben Carroll, Commissioner



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VISION STATEMENT



Vision Statement for the Town of Wendell

"The Town of Wendell is clean, safe, vibrant, and full service with a diverse population. Our citizen friendly reputation is assured by the quality of our facilities and professional staff who work efficiently to provide great customer service. We have a knowledgeable Town Board who works efficiently to incorporate input from Citizen Advisory Boards and staff to be responsible stewards of our tax dollars, through leveraging, by watching return on investments and maintaining our fund balance."

In working to achieve this vision for the Town of Wendell, the Board of Commissioners have committed to the following:

- Strive for efficiency in the way we handle business. We are hard-working and attend all meetings.
- Keep the best interests of the Town uppermost in our minds.
- Consider all aspects of a situation and make thorough, deliberate, and well-reasoned decisions.
- Explore all viewpoints. We are open to hearing from others, learning from them and compromising, when needed.
- Stay cohesive, collaborative, collegial, and connected to the manager and to each other.
- Demonstrate respect for all opinions, especially in public. And we support the decisions of the Board. Once decisions are made by the majority, we support that decision.
- Tackle new and novel Ideas and processes.

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POLICY GOALS



Policy goal areas are intentionally broad and are used to identify the most critical issues facing the community. Each policy goal has specific action initiatives that are prioritized annually to assist in the allocation of resources and staff time to ensure efficiency and effectiveness. The policy goal areas identified include the following:

- **GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character**
Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.
- **GOAL 2: Public Safety and Neighborhood Improvement**
Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.
- **GOAL 3: Infrastructure, Transportation, and the Environment**
Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.
- **GOAL 4: Parks, Recreation, Special Events, and Culture**
Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.
- **GOAL 5: Organization Culture and Communication**
Build a professional and inclusive Town organization that is fiscally responsible, seeks innovative practices, and values the development of staff.

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Item 4b

Town of Wendell - Small Town, Big Charm

GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character



GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character

Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.

Downtown vibrancy, economic growth, and community character goal attainment occurs when the following opportunities are realized or conditions exist.

A. Downtown contains a vibrant mix of businesses that are centered on food and beverage, retail, and neighborhood services that attract area residents in coordination with sufficient parking, attractive public spaces, and regular special events to foster the "Small Town, Big Charm" motto.

Management in Progress

1. Conduct a Downtown Engagement Session facilitated by the NC Department of Commerce to receive input from stakeholders and businesses
2. Administer the NC Department of Commerce grant for Downtown Improvements related to building façades, utilities, and establishment of the Meet of Main organization.
3. Evaluate opportunities to acquire and/or enhance parking and public spaces Downtown.
4. Provide project updates on Raleigh Public Utilities capital project for water main improvements to enhance communication and reduce business impact.
5. Prepare for the NC Department of Transportation capital project to mill and resurface Third Street in 2019 to enhance communication and reduce business impact.
6. Seek enhancements through the Transportation Alternative Program to improve sidewalk crossing for accessibility and aesthetics.
7. Evaluate downtown streetlight options with Duke Energy to enhance efficiency, improve lighting, and aesthetics.

Strategic Initiatives

1. Seek to implement recommendations developed during the NC Department of Commerce engagement meeting with Downtown stakeholders and businesses.
2. Evaluate existing Downtown grant opportunities, like the façade grant program, and update to reflect goals related to desired uses.
3. Revise the zoning uses for the Downtown area in the Unified Development Ordinance to community and business preference and market needs.
4. Review current special events sponsored by the Town and work with community organizations to enhance existing events and develop a sustainable, year-round event schedule.
5. Establish a Special Event policy and process to guide the use of public space, facilities, and Town resources.
6. Identify opportunities for the mid and long-term use for the Wendell Elementary School property in coordination with Wake County Schools.
7. Identify opportunities for infill housing and commercial development in Downtown and establish a program to promote the potential development or redevelopment projects.

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**GOAL 1: Downtown Vibrancy, Economic Growth, and
Community Character**

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B. The Town contains an appropriate mix of land uses including the development of commercial, office, and industrial uses to enhance property values, create jobs for residents, and make opportunities available for shopping, services, and products desired by the community and region.

Management in Progress

1. Work with the NC Department of Commerce to facilitate an economic development assessment to establish stakeholder opportunities, community vision, and identify market gaps.
2. Review established economic development plans, strategies, and programs to identify opportunities to attract commercial and industrial development.
3. Participate in the Triangle J Council of Governments Brownfields Coalition to submit a grant application to the EPA Brownfield Program to assess brownfield properties in the region.

Strategic Initiatives

1. Update the economic development strategic plan to reflect the NC Department of Commerce vision, stakeholder, and engagement sessions to include an action plan for implementation.
2. Evaluate the establishment of either an in-house, contract, or hybrid service delivery for economic development.
3. Develop marketing material and service level data to assist in economic recruitments and annexation.
4. Establish a Wendell Falls Corridor Action Plan to encourage appropriate development, connectivity, and infrastructure extension.
5. Establish a broadband policy and action plan.
6. Work with Newland Communities and area health systems to encourage the development of a hospital and medical park in the Wendell Falls commercial district or other suitable location.
7. Conduct a comparative growth analysis with area jurisdictions to determine best practices and avoidable issues related to growth to maintain a positive quality of life.
8. Establish growth boundaries with Archer Lodge and Rolesville.
9. Complete a small area plan with a focus on connecting Downtown to major interchanges to evaluate opportunities and impediments to development, annexation, public facilities, and preservation.
10. Initiate planning to update the Comprehensive Land Use Plan and update associated development and transportation plans to incorporate the update.

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GOAL 2: Public Safety and Neighborhood Improvement

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GOAL 2: Public Safety and Neighborhood Improvement

Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.

Public safety and neighborhood improvement goal attainment occurs when the following opportunities are realized or conditions exist.

A. Develop an environment for community engaged policing and code enforcement that emphasizes maintaining safe, family friendly neighborhoods, improving the public environment for accessibility, and encouraging community ownership in improving private property.

Management In Progress

1. Include police officer involvement in special events, school activities, and other civic engagements to encourage interaction and relationship building with citizens.
2. Conduct a comparative analysis of community improvement programs to seek a neighborhood driven solution for engagement, housing repair, and aesthetic improvement.
3. Review the temporary sign provisions and waiver to evaluate the benefit of business advertising versus sign clutter and aesthetic impact on neighborhoods.
4. Complete a comprehensive review of the use of force policies and update as needed.

Strategic Initiatives

1. Establish an action plan for the police department to achieve Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation and initiate policy review and development to implement.
2. Identify methods and seek department-wide training to proactively and consistently utilize community engaged policing methods.
3. Identify opportunities to improve officer health and safety through the promotion of physical fitness, use of employee assistance programs, ergonomic equipment, and like practices.
4. Seek opportunities and programs to improve traffic and pedestrian safety near school sites.
5. Evaluate the towing rotation policy and parking enforcement practices to incorporate Wendell Falls streets and Downtown event parking.
6. Expand officer participation in Crisis Intervention Training to expand existing capabilities beyond the supervisory level to properly assist persons in crisis receive appropriate agency referrals.
7. Partner with external stakeholders to address illegal drug (opioid) issues in the community to include enforcement and referral to treatment and support opportunities as the problems are identified.
8. Develop a pilot project for a "neighborhood clean-up day" to connect citizens in-need to resources for home and yard improvements, encourage voluntary efforts, and improve public spaces for a targeted geographic area.
9. Evaluate housing stock and identify opportunities to encourage a diversity of housing types, promote infill development, and provide for connectivity, beautification, and park improvements.

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GOAL 3: Infrastructure, Transportation, and the Environment

Item 4b



GOAL 3: Infrastructure, Transportation, and the Environment

Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.

Infrastructure, transportation, and the environment goal attainment occurs when the following opportunities are realized or conditions exist.

A. Public utilities, land, services, and open spaces are designed, maintained, and extended to provide for necessary water, sewer, stormwater, roads, sidewalks, bikeways, paths, intersections, facilities, and debris removal for the existing and planned community.

Management in Progress

1. Evaluate the water and sewer system merger and seek feasible options with CORPUD for an early merger opportunity to reduce utility rates while maintaining needed access to capacity.
2. Compare infrastructure rates with area municipalities for inclusion in the budget.
3. Identify stormwater program compliance requirements with costs for inclusion in the budget.
4. Implement a street repaving program to regularly resurface Town streets and pave unimproved roads.
5. Support the completion of the NCDOT Old Battle Bridge replacement bridge project in 2019.
6. Identify next steps for the U-5323 NCDOT Intersection realignment project to determine continued liabilities and options to resolve.
7. Establish a sidewalk maintenance and extension program to implement the Pedestrian Plan.
8. Prepare for the design and funding submission for the Wendell Boulevard Sidewalk Project.

Strategic Initiatives

1. Establish an infrastructure plan for the connection and extension of water and sewer for inclusion in the capital improvement plan to promote development, annexation, and close service gaps.
2. Evaluate the water allocation policy for efficiencies in cost and providing necessary infrastructure to encourage appropriate growth.
3. Complete a review of comparative stormwater practices and programs and present a recommended program that includes a prioritization of needed projects and maintenance of existing infrastructure.
4. Seek opportunities to improve the Transportation Plan to balance necessary improvements to occur in a timely manner with economic development, including the Wendell Boulevard widening.
5. Prioritize and prepare intersection improvements for NCDOT and CAMPO funding processes.
6. Establish an eligible projects list for transportation, bike, and pedestrian improvements through CAMPO administered funding sources for inclusion in future capital improvement plans.
7. Establish a facility and lands prioritization list to identify future acquisition needs with funding strategies for inclusion in the capital improvement plan.
8. Submit the Wendell Boulevard Sidewalk Project to CAMPO in FY 2020 for construction in FY 2021.
9. Identify new bus stops and work with regional transit partners to develop implementation strategies.
10. Review solid waste service levels and contract for efficiencies and service improvement options.

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GOAL 4: Parks, Recreation, Special Events, and Culture



GOAL 4: Parks, Recreation, Special Events, and Culture

Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.

Parks, recreation, special events, and culture goal attainment occurs when the following opportunities are realized or conditions exist.

A. Provide recreation amenities and services to residents and visitors through quality facilities, a diverse program offering, varied parks, and special events guided by a community-driven master plan that provides for accessibility, connectivity and healthy fun for all.

Management in Progress

1. Initiate a comprehensive parks and recreation master plan to guide future recreation services and facility needs.
2. Provide for the installation of shade structures at the Town park.
3. Establish a parks maintenance plan to include staff resources needed to sustain current programming.
4. Work with the Meet on Main group to coordinate a year-round special event schedule.
5. Prepare a lease for the 122 Second Street property for use as a historic museum.
6. Revise athletic program offerings to meet current seasonal demands to increase field use.

Strategic Initiatives

1. Complete the development and plan for implementation of a comprehensive parks and recreation master plan to guide future recreation services and facility needs.
2. Evaluate the fee-in-lieu policy for parks in the Unified Development Ordinance (UDO).
3. Identify and provide for the acquisition for the next active recreation site identified in the parks and recreation master plan.
4. Update the park plan for the Wendell Town Park to identify next steps for the use of the "new" areas.
5. Develop a plan to link Wendell Falls to Downtown and the Park by greenway that allows for multiple transportation alternatives.
6. Evaluate the transition of Main Street Extension to a greenway connector to Downtown rather than a street for vehicles.
7. Initiate planning for signature special events to ensure sustainability, maintain attendee interest, and provide for appropriate growth.
8. Coordinate the development of a new Wendell Branch Library with Wake County to include space for historic preservation and community group meetings.
9. Identify methods to incorporate sports tourism and visitor marketing for awareness of special events and recreation offerings.

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GOAL 5: Organization Culture and Communication



GOAL 5: Organization Culture and Communication

Build a professional and inclusive Town organization that is fiscally responsible, seeks innovative practices, and values the development of staff.

Organization culture and communication goal attainment occurs when the following opportunities are realized or conditions exist.

A. Build an organization committed to improving daily towards a goal of excellence in service to its citizens, businesses, visitors, and employees through responsible fiscal management, inclusive communication, innovative technologies, and professional development.

Management in Progress

1. Maintain a fiscally conservative approach in the review of comparative tax and utility rates for inclusion in the budget.
2. Establish a capital improvement plan that incorporates a capital budget with a capital funding reserve that identifies revenues, preserves the fund balance policy, and incorporates debt service.
3. Enhance the budget document to provide greater detail and transparency on department expenses and how they connect to strategic initiatives.
4. Complete a comparative staffing needs analysis that is updated annually to assist in budget development and to guide organization growth over the next five to fifteen year period.
5. Identify existing work performance data collected by the departments, establish levels of service, and incorporate performance goals tying service levels to strategic goals in the budget process.
6. Complete the analysis of the IT program to consider both efficiencies and organization growth needs.
7. Evaluate current communications like the Snapshot and weekly update to ensure that information is tied to organization performance and strategic goals to be of value to the reader.

Strategic Initiatives

1. Maintain GFOA financial reporting recognition and seek recognition for the budget submission as well.
2. Establish a quarterly (at least) update of strategic initiatives that includes the responsible party and timelines.
3. Evaluate current department policies and practices to enhance efforts to improve customer service.
4. Establish an online agenda that includes background materials and the opportunity for public comment.
5. Develop a communication plan to market Wendell to external interests and increase communication for internal interests.
6. Establish biannual retreats for the Commission and a biennial strategic planning process that provides for community and stakeholder input.
7. Determine requirements for compliance with the Americans with Disabilities Act, as amended, and prepare a transition plan as necessary for facilities, infrastructure, programs, and communications.
8. Complete a review of the Charter and procedural rules of the Commission.
9. Evaluate human resource policies for overtime, insurance selection, employee evaluation, compensation, comparative benefits, and training programs.

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9. Establish an Economic Development Program	Economic Development consultant acquired part-time. The consultant will work with the Manager on further program development in FY 2020.	Complete	7/1/2019	Management
10. Develop Marketing Material for Economic Development	Project will formally start after economic development program and practices are further developed. Initial steps of updating demographic data completed in spring 2019. Program updates for websites initiated and in progress.	In-Progress	9/13/2019	Planning
11. Wendell Falls Corridor Action Plan Development	HCDOC held stakeholder meeting for corridor in spring 2019. Staff assessed development impediments with CAMPO, NCDOT, CORPUD, development community, and property owners. Transportation plan amended 8/12/2019 by BOC. Land Use will be updated in the Comprehensive Land Use Plan process starting spring 2020. Planning RFA for consultants in process.	In-Progress	1/20/2020	Planning
12. Broadband Policy and Action Plan	Not started or scheduled at this time. Waiting on IT consultant selection. Likely to schedule evaluation in spring 2020 for future consideration.	On-Hold	9/9/2019	Management / IT / Planning
13. Facilitate Health Industry Development	Economic development consultant met with Newland, WEDP, and staff in August. Wake Med announced acquisition of land in Wendell Falls. Development details and timing TBD.	In-Progress	9/9/2019	Management / Planning
14. Comparative Growth Analysis	Assistant to the Manager collecting data points from comparative places.	In-Progress	1/20/2020	Management
15. Growth Boundaries with Archer Lodge and Rolesville	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Meeting with County staff regarding areas between Towns in December as part of PlanWake process. Draft County map prepared.	In-Progress	1/20/2020	Planning
16. Small Area Plan for Downtown Connections to Inerstate	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	In-Progress	9/9/2019	Planning
17. Comprehensive Land Use Plan Update	Funded to start in spring FY 2020 and be completed in FY 2021. Planning soliciting for consultants to conduct plan in January 2020.	In-Progress	1/20/2020	Planning
Goal 2: Public Safety and Neighborhood Improvement				
Initiative		Status	Date	Assigned
Management in Progress				
1. Increase Police Involvement in Community Events	Maintained existing effort. Activity will be reported in monthly Police Report started in August 2019. Initiative is ongoing service level.	Complete	8/26/2018	Police
2. Comparative analysis of neighborhood improvement programs	Planning and Assistant to Manager conducted comparative analysis and project scoping. Draft program presented to Board at 1/13/2020 meeting.	Complete	1/13/2020	Management
3. Temporary Sign Provision Review	Manager reviewing policy for winter report to Commission.	In-Progress	9/9/2019	Management
4. Use of Force Policy Review and Update	Department committee doing comparative analysis from CALEA accredited agencies. Project scheduled for completion in spring 2020.	In Progress	7/22/2019	Police
Strategic Initiatives				
1. CALEA Accreditation Action Plan	Action plan established and reported to the BOC in spring 2019. Accreditation is a 3 year process. Funding provided in FY 2020 budget to initiate the process. First step is hiring a Records & Training Administrator to manage the process with a department team. Implementation will be reported in monthly police report. Final goal is achieving accreditation.	Complete	7/1/2019	Police
2. Community Engaged Policing Methods and Training	Project start anticipated Fall 2019. Assistant to Manager will work with Police Department on comparative analysis and program development in 2020.	On Hold	9/9/2019	Police / Management
3. Officer Health and Safety Initiative	Management met with Police staff in spring 2019. FY 2020 budget funded EAP and wellness program reimbursement for officers. In addition funding was increased for equipment, training, uniforms, and supplies to improve officer conditions. Effort will be evaluated annually during the budget process to continue improvement as resources allow.	Complete	7/1/2019	Police

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2019 Town of Wendell Strategic Plan November 25, 2019 Update				
GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character				
Initiative	Update	Status	Date	Assigned
Management in Progress				
1. Downtown Engagement Session by NCDOC	Session conducted by NCDOC in Spring 2019	Complete	7/1/2019	Planning
2. Administer NCDOC Grant for Downtown	Meet on Main group established. Façade grant awarded for 1 N Main project. Second update provided to NCDOC on 1/15/2020. Work in nearing completion.	In-Progress	1/27/2020	Planning
3. Downtown parking evaluation/acquisition	Design Build RFP selection and negotiate agreement to Board. Mural artist contracts to attorney approved 1/13/2020. Last item is finalizing agreement with contractor prior to initiating design and construction phase.	In-Progress	11/20/2019	Management / Planning
4. Wendell Water/Sewer Main CORPUD Project	CORPUD completed Third Street area and Parish Court and moving to other areas of project. Work complete on Hester and awaiting paving. Working on Campen as of 1/20/2020.	In-Progress	1/20/2020	Public Works
5. NC DOT Third Street milling and resurfacing	NC DOT contractor started project 9/16. Resurfacing complete. Striping done.	Complete	11/13/2019	Public Works
6. TAP Sidewalk Accessibility Projects	NC DOT contractor to start in FY 2020 on identified intersections.	On Hold	7/1/2019	Planning / Public Works / Mgr
7. Downtown Streetlight Evaluation and Options	Staff evaluating condition and options for future CIP project.	In-Progress	7/1/2019	Public Works
8. NCDOC Facilitated Economic Development Assessment	NCDOC completed the Economic Development Assessment and presented to the BOC in June 2019.	Complete	7/1/2019	Planning
9. Review Economic Development Plans, Strategies, and Programs	Economic Development Consultant completed review, staff prepared draft plan, ED Committee recommended, and Board adoption of plan at 1/27/2020.	In-Progress	1/20/2020	Management / Planning
10. TICOG Brownfield Coalition Grant Submission	No brownfield grants were awarded in NC in 2019. TICOG for regional coalition grant submitted in 12/2019 with 3 Town sites identified. Presentation of grant and program to Board at 1/13/2020 meeting.	Complete	1/13/2020	Management / Planning
Strategic Initiatives				
1. Implementation Plan for NCDOC Downtown Engagement Session	Economic Development Assessment completed with action plan. Implementation update provided to BOC at 1/13/20 Commission meeting as part of the updated economic development strategic plan.	Complete	1/27/2020	Management / Planning
2. Evaluate Downtown Grants and Update	Façade grant program update approved by BOC 8/12/2019.	Complete	8/12/2019	Planning
3. Revise Downtown zoning use table	Process will be incorporated into Comprehensive Plan update and UDO amendment. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
4. Review Special Events Practices and Schedule	Meet with partner organizations with staff in advance of events and update for sustainable practices and locations. Review completed.	Complete	11/23/2019	Management
5. Develop a Special Events Policy and Process	Current policies and forms collected from departments. Draft guide and policy drafted. Present to Board at 1/27/2020 meeting.	In-Progress	1/20/2020	Management
6. Evaluate Wendell Elementary Property	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
7. Downtown Infill Opportunities Identification	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
8. Update Economic Development Strategic Plan	Economic Development consultant evaluated current practices and priorities. Planning staff completed draft plan. Presentation 1/13/2020 and adoption by BOC at 1/27/2020 meeting.	In-Progress	1/20/2020	Management / Planning

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4. Pedestrian Safety Near School Sites	Wendell Boulevard Sidewalk Project design approved in FY 2020 budget. LAPP grant will be prepared by design consultant in fall 2019. Design complete prior to construction start in fall / winter 2020. LAPP applications submitted 10/19. Technical Committee recommended funding project to CAMPO Board.	In-Process	1/20/2020	Planning
5. Parking Enforcement Review	Staff evaluated HOA parking requirements at Wendell Falls and Town ordinances related to parking in Spring 2019. Staff is drafting parking ordinance revisions for presentation to Board on 3/27/2020.	In-Process	1/20/2020	Police / Management
6. Crisis Intervention Training Expansion	Goal to train 2 officers per year pending Wake Tech course availability.	On-Hold	7/22/2019	Police
7. Opioid Issue Awareness and Partnerships	Department is researching new community resources for inclusion on website. Project is ongoing in nature.	In-Process	7/22/2019	Police
8. Neighborhood Clean-Up Day Pilot	Assistant to Manager conducting comparative analysis, seeking resources, and developing project scope. Pilot project goal set for spring 2020.	In-Process	9/9/2019	Management
9. Housing Diversity and Neighborhood Improvements	Town hosted Wake County housing public comment session in November 2019. Staff with meeting County staff in January 2020 to coordinate efforts. Staff submitted CD8G funding request to County in 12/20 to implement draft Neighborhood Improvement Program presented to Board 1/13/2019. Improvements to be implemented in FY 2021.	Complete	1/13/2020	Planning
Goal 3: Infrastructure, Transportation, and the Environment				
Initiative		Update		Assigned
Management In-Progress				
1. CORPUD Merger Evaluation	Completed FY19 evaluation for Merger. CORPUD presented to BOC in spring 2019. Policy direction to maintain capacity allocation at this time. Staff evaluating FY21 merger during budget process in spring 2020.	Complete	1/20/2020	Management / Planning / Finance
2. Infrastructure Rate Comparison	Comparative rates were researched and included in the FY20 Budget.	Complete	7/1/2019	Management / Finance
3. Stormwater Program Compliance	Town Engineer completed the multi-year stormwater mapping project in November 2019. New engineer to review maps and assist with developing compliant program prior to DEP audit in 2022. Task order for engineer drafted in December 2019 and in-process. Next step is reporting gaps and implementing program to address in FY 2021.	In-Process	1/20/2020	Public Works
4. Street Repaving Program Implementation	Program funding and description included in CIP. Engineer to evaluate streets for resurfacing priority and needs for capital budgeting. Task order completed in January 2020. Parish and segments of 1st and 2nd completed. Heister Court being evaluated with CORPUD.	In-Process	1/20/2020	Management / Public Works
5. NCDOT Old Battle Bridge Replacement	Waiting on NCDOT to initiate project. Public Works inspects area to ensure barriers remain intact and notifies NCDOT if issues. Current schedule is completion in 2021 with indications it could be advanced to 2020.	On-Hold	7/1/2019	Public Works
6. Martin Crossing Improvements (U-5323)	Planning met with CAMPO and NCDOT regarding next steps. Engineering evaluation of options needed. Report will be provided in winter 2020 to BOC.	In-Process	1/20/2020	Planning
7. Sidewalk Maintenance and Extension Program	Funding added in FY 2020 Budget and CIP for Pedestrian Plan implementation efforts. Recurring funding program established.	Complete	7/1/2019	Management / Planning / Public Works
8. Wendell Boulevard Sidewalk Project Design	Funding added in FY 2020 budget for design. Design firm selection completed. Kimley-Horn prepared project for initial LAPP grant submission to CAMPO. Final submission submitted in October. Design work in progress by consultant. CAMPO tech committee recommends funding for applications.	In-Process	1/20/2020	Planning

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Strategic Initiatives					
Initiative	Update	Status	Date	Assigned	
1. Infrastructure Plan for CIP	Requires analysis by Economic Development and Engineer. On hold for engineering services contract. Project scheduled to be started with FY 21 CIP process in spring 2020.	On Hold	9/9/2019	Management / Planning	
2. Evaluate the Water Allocation Policy	Evaluation being conducted by Planning. Management reviewing current policy. Presentation to BOC in winter 2020.	In-Process	9/9/2019	Management / Planning	
3. Stormwater Program Analysis	Public Works works with Wake County, TICOG, and DENR for permit compliance. Staff will work with an engineering consultant to present the program needs in spring 2020. DFP audit scheduled for 2022.	In-Process	11/23/2019	Public Works	
4. Transportation Plan Review	Planning staff completed a review of the Transportation Plan. UDO amendments to Planning Board in June 2019 and BOC adopted 8/12/2019.	Complete	8/12/2019	Planning	
5. Prioritize Intersection Improvements	Waiting for engineering services selection to be completed. Project will be added to FY 2021 Budget process for consideration.	On Hold	9/6/2019	Public Works and Planning	
6. CAMPO Eligible Projects List for Future Funding	Planning to evaluate Transportation Plan and Pedestrian Plan with engineer, CAMPO, and DOT and provide report in summer 2020.	In-Process	1/10/2020	Planning	
7. Facility and Lands Prioritization	Staff worked with Cumming on Town Hall project for presentation to BOC in July 2019. Recreation needs completed master plan in fall 2019. Additional facility and land needs will be evaluated in the CIP process.	In-Process	1/10/2020	Management / Public Works / Planning	
8. Wendell Boulevard Sidewalk Project to CAMPO	Engineer firm selection in July 2019 to prepare CAMPO grant submission for LAPP funds for project. Submitted to CAMPO in 10/2019.	Complete	10/23/2019	Planning	
9. Evaluate Additional Transit Stops	Project assigned to Assistant Planning Director to develop project schedule and scope. Some portions will be in the Comprehensive Plan. Meeting with Transit staff to discuss project planning in November 2019.	In-Process	11/23/2019	Planning	
10. Solid Waste Service Level and Contract Review	Solid waste contract expires in June 2020. Staff will initiate contract discussions and review service options in winter 2019-2020.	On Hold	7/23/2019	Public Works / Finance	
Goal 4: Parks, Recreation, Special Events, and Culture					
Initiative	Update	Status	Date	Assigned	
Management in Process					
1. Initiate Parks and Recreation Master Plan	BOC awarded bid to McGillo to complete plan. Plan is in process and is scheduled for completion in early fall 2019.	Complete	7/1/2019	Parks & Recreation	
2. Shade Structure Installation at Park	Shade structures installed late spring 2019.	Complete	7/1/2019	Parks & Recreation	
3. Parks Maintenance Plan	Parks Maintenance position added in FY 2020 budget.	Complete	7/1/2019	Management and Parks & Recreation	
4. Meet on Main Special Event Planning	Initial event planned and held on 9/20.	Complete	9/20/2019	Mg/PO/PW/P&R	
5. WHS Lease of 122 Second Street for Museum	Lease completed in spring 2019.	Complete	7/1/2019	Management	
6. Update Athletic Program Offerings	FY 2020 fee schedule includes new programs for kickball, soccer, and wiffleball	Complete	7/1/2019	Parks & Recreation	
Strategic Initiatives					
1. Plan for Implementation of Master Plan	Master plan adopted and initiatives will be included in the CIP process	In-Process	1/10/2020	Management and Parks & Recreation	
2. Evaluate UDO Fee in Lieu for Parks	Planning Director began a comparative analysis after P&R Master Plan adopted and will present proposed changes to Board in spring 2020.	In-Process	1/10/2020	Planning	
3. Plan for Acquisition of New Park	Staff is evaluating opportunities for acquisition of park sites as recommended by the adopted Master Plan.	In-Process	1/10/2020	Management and Parks & Recreation	
4. Update the Wendell Park Plan	Recommendations for improvements in adopted master plan.	Complete	1/10/2020	Parks & Recreation	
5. Greenway Plan to Connect Downtown to Wendell Falls	Planning working with developers to incorporate trail into design. Will present trail options to Board in spring 2020.	In-Process	1/10/2020	Planning	

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6. Main Street Extension as Greenway Connector to Downtown rather than a Street for Vehicles	Project conceived drafted and submitted to Wata County for grant funding in FY 2021.	Complete	1/20/2020	Planning
7. Evaluate Special Events to Increase Impact	Staff meets with event organizers to evaluate opportunities to improve events and ensure that locations provide opportunity for growth. Layout for Downtown events modified to include Main Street for existing events. New events added for Meet on Main and Farmers Market.	Complete	11/23/2019	Management and Parks & Recreation
8. Wendell Branch or Regional Library Site	Staff met with Library leadership in spring 2019. Staff will monitor and participate in the Library master plan update and prepare for a potential future bond offering. Project assigned to Assistant Planning Director.	In Process	9/9/2019	Planning
9. Incorporate Sports Tourism and Marketing into Events and Recreation Program Offerings	Staff met with Visit Raleigh staff regarding implementation of the tourism plan. Staff attended a hotel development meeting and partnered with Newland to develop a marketing piece in the visitors' guide. Visit Raleigh actively promoting Town events (multiple posts for Wendell Wonderland).	Complete	11/23/2019	Management and Parks & Recreation
Goal 5: Organization Culture and Communication				
Initiative	Update	Status	Date	Assigned
Management in Progress				
1. Fiscally conservative budget approach for tax and utility rates in developing FY 2020 Budget.	No rate increases were proposed for the FY 2020 Budget for property tax or utility rates.	Complete	7/1/2019	Management and Finance
2. Establish a Capital Improvement Plan	Capital Improvement Plan established and adopted in FY 2020 Budget.	Complete	7/1/2019	Management and Finance
3. Enhance the FY 2020 Budget document for transparency and detail connecting department expenses to policy	Significant enhancements provided to the budget document for FY 2020. Adopted Strategic Plan with BOC priorities incorporated with section linking budget expenses to strategic plan.	Complete	7/1/2019	Management and Finance
4. Staffing Needs Analysis	A 10-year staffing needs analysis was included in the FY 2020 Budget.	Complete	7/1/2019	Management and Finance
5. Establish performance goals in budget	Performance management goals included for each department in FY 2020	Complete	7/1/2019	Management and Finance
6. IT Program Analysis	Joint RFP for IT services issued in partnership with Rolesville. Vendor selected at 9/23 Board meeting. Consultant to conduct 3-month evaluation of system and needs for CIP starting in December 2019.	In Process	11/21/2019	Management and Finance
7. Update regular communications to reflect performance and strategic goals	Finance developing draft reports. Content reported at 7/22/19 BOC meeting. First updated reports to be provided at 8/26/19 BOC meeting.	Complete	8/26/2019	Management and Finance
Strategic Initiatives				
1. GFOA recognition for Audit and Budget	GFOA recognition for audit received in spring 2019. Budget submitted for first time on 8/23/2019 to GFOA. Response expected in several months.	Complete	8/23/2019	Management and Finance
2. Strategic Plan Quarterly Updates	Updates incorporated into monthly reports starting July 2019	Complete	8/26/2019	Management
3. Customer Service Policy Review with Departments	Project not started yet. Project design to start spring 2020.	On Hold	7/22/2019	Management
4. Outline Agenda Packets with Background Materials	Waiting on IT consultant selection to work with Clerk on software.	On Hold	7/22/2019	Management
5. Communication Plan	F2TV communication contract staff started July 2019. Project was coordinated with Rolesville. Comparative analysis and initial draft plan complete. Staff presented to Board in November 2019 implement in 2020.	Complete	1/20/2020	Management
6. Biannual Retreats and Biennial Strategic Planning Process	Retreats in process and strategic plan adopted in 2019. Staff will work with BOC at Winter retreat to establish the strategic planning process. Process developed will be implemented in FY 2020 to cover the next 3-year period.	In Process	7/22/2019	Management
7. ADA Compliance	Management is evaluating current requirements and will name an ADA Coordinator in 2019. The organization will work to develop a Transition plan over the next 3-years.	In Process	7/22/2019	Management

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8. Charter and Procedural Review with Commission	Staff is preparing for the review at a work session in the winter.	In-Process	9/9/2019	Management
9. Human Resources Policy and Program Review	Employee Committee role updated, employee recognition program updated, bereavement policy updated, insurance selection completed with budget, CAP program included in insurance with Budget, training funding increased, and compensation and classification study started 9/3 and findings to be presented to Board in 2/2020 for inclusion in Budget. Board authorized HR Administrator position to assist with implementation. Recruitment process started in December 2019. Expect staff on board by March 2020.	In-Process	1/20/2020	Management

4b. FY20 Strategic Plan Report and FY21 Recommendations

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FY 20 Strategic Plan Report

Presented January 25, 2020
Organizational Retreat



Strategic Plan - Purpose

- ▶ The Town of Wendell recognizes that the realization of a **community vision is only achieved when the strategic goals of the community are in alignment with available and planned resources**. As such, the purpose of the strategic plan is to provide for a process that **aligns resources with commitment** from Town organization leaders to bridge the gap between the assessed current conditions and envisioned community of the future.

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Current Plan

- ▶ First written and adopted strategic plan
- ▶ Based on past retreat minutes, Board discussion, and staff recommendation.
- ▶ Adopted February 11, 2019
- ▶ Vision Statement
- ▶ 5 Policy Goals
- ▶ 35 Management in Progress
- ▶ 53 Strategic Initiatives
 - ▶ 12 Top Priority Initiatives (Board Consensus)
 - ▶ 12 High Priority Initiatives (Board Majority)

▶ **GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character**

Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.

▶ **TOP PRIORITY INITIATIVES**

1. Identify opportunities for infill housing and commercial development in Downtown and establish a program to promote the potential development or redevelopment projects. (In-Progress)
2. Establish a Wendell Falls Corridor Action Plan to encourage appropriate development, connectivity, and infrastructure extension. (In-Process)

▶ **HIGH PRIORITY INITIATIVES**

1. Review current special events sponsored by the Town and work with community organizations to enhance existing events and develop a sustainable, year-round event schedule. (Complete with ongoing evaluation)
2. Identify opportunities for the mid and long-term use for the Wendell Elementary School property in coordination with Wake County Schools. (Upcoming)
3. Evaluate the establishment of either an in-house, contract, or hybrid service delivery for economic development. (Complete)
4. Work with Newland Communities and area health systems to encourage the development of a hospital and medical park in the Wendell Falls commercial district or other suitable location. (In-Process)



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Goal 1 - Likely Next Steps in FY 21

- ▶ Complete Downtown Parking and Event Space
- ▶ Evaluate need for streetscape updates Downtown
- ▶ NCDOT Sidewalk Accessibility Projects
- ▶ Evaluate NCDOC Main Street Program
- ▶ Downtown Zoning updated in Comprehensive Plan Update
- ▶ Wendell Elementary property evaluation started
- ▶ Brownfield site assessments Downtown (if funded by EPA)
- ▶ Planning for Downtown Infill
- ▶ Comprehensive Plan Updated
- ▶ Urban Growth Boundary and ETJ updates started
- ▶ Seek opportunities to Implement ED Strategic Plan
- ▶ Expand Farmers Market Programming and Marketing

▶ GOAL 2: Public Safety and Neighborhood Improvement

Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.

▶ TOP PRIORITY INITIATIVES

1. Establish an action plan for the police department to achieve Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation and initiate policy review and development to implement. (Complete with ongoing evaluation)
2. Identify opportunities to improve officer health and safety through the promotion of physical fitness, use of employee assistance programs, ergonomic equipment, and like practices. (Complete with ongoing evaluation)

▶ HIGH PRIORITY INITIATIVES

1. Seek opportunities and programs to improve traffic and pedestrian safety near school sites. (In-Process)
2. Expand officer participation in Crisis Intervention Training to expand existing capabilities beyond the supervisory level to properly assist persons in crisis receive appropriate agency referrals. (On-Hold awaiting training)



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Goal 2 - Likely Next Steps in FY 21

- ▶ Continue increasing Police involvement in community relations and events
- ▶ CALEA Accreditation Manager hired and process formally started
- ▶ Evaluate Community Engaged Policing comparative practices
- ▶ Implement the Neighborhood Improvement Program - Zone 1
- ▶ Plan the Neighborhood Improvement Program - Zone 2
- ▶ Complete design for a signalized, safe pedestrian crossing at Wendell Blvd & Wendell Falls Parkway
- ▶ Increase Bicycle & Pedestrian Safety programs and marketing
- ▶ Increase Opioid and drug safety awareness

▶ GOAL 3: Infrastructure, Transportation, and the Environment

Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.

▶ TOP PRIORITY INITIATIVES

1. Establish an infrastructure plan for the connection and extension of water and sewer for inclusion in the capital improvement plan to promote development, annexation, and close service gaps. (In-Process, but limited)
2. Prioritize and prepare intersection improvements for NCDOT and CAMPO funding processes. (On-hold for budget)

▶ HIGH PRIORITY INITIATIVES

1. Evaluate the water allocation policy for efficiencies in cost and providing necessary infrastructure to encourage appropriate growth. (In-Process)
2. Seek opportunities to improve the Transportation Plan to balance necessary improvements to occur in a timely manner with economic development, including the Wendell Boulevard widening. (Complete with ongoing evaluation)
3. Establish a facility and lands prioritization list to identify future acquisition needs with funding strategies for inclusion in the capital improvement plan. (In-Process, but limited)



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Goal 3 - Likely Next Steps in FY 21

- ▶ Adopt and begin implementing a Stormwater Program in preparation of the 2022 NCDEQ program audit
- ▶ Complete the CORPUD merger
- ▶ Complete the Town Hall design and move to construction with funding schedule in place and include road/utility extensions
- ▶ Complete a Road Resurfacing evaluation and schedule with funding
- ▶ Complete a Sidewalk evaluation and schedule with funding
- ▶ Complete design of the Wendell Boulevard Sidewalk project and advance to right-of-way acquisition and construction
- ▶ Complete review for CAMPO funding eligible transportation projects and identify priority project for submission
- ▶ Complete a transit stop evaluation in Wendell Falls area
- ▶ Negotiate a new solid waste contract
- ▶ Start a facility and lands prioritization process

▶ GOAL 4: Parks, Recreation, Special Events, and Culture

Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.

▶ TOP PRIORITY INITIATIVES

1. Complete the development and plan for implementation of a comprehensive parks and recreation master plan to guide future recreation services and facility needs. (In-process)
2. Identify and provide for the acquisition for the next active recreation site identified in the parks and recreation master plan. (In-Process)
3. Develop a plan to link Wendell Falls to Downtown and the Park by greenway that allows for multiple transportation alternatives. (In-Process)

▶ HIGH PRIORITY INITIATIVES

1. Initiate planning for signature special events to ensure sustainability, maintain attendee interest, and provide for appropriate growth. (Complete)



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Goal 4 - Likely Next Steps in FY 21

- ▶ Incorporate the Parks & Recreation Master Plan into the capital improvement plan in greater detail
- ▶ Update the fee-in-lieu wording for parks and open space for Master Plan consistency
- ▶ Plan for acquisition of land for new parks
- ▶ Fund the design of a neighborhood park site (if land secured)
- ▶ Design and start construction of "Main Street" Greenway (if grant support received)
- ▶ Purchase open space (if grant support received)
- ▶ Plan for the design of a splash pad and/or adventure park in coordination with the Town Hall construction project
- ▶ Seek a hotel development commitment in coordination with private developments
- ▶ Assist in special events to include a full-season of Meet on Main events

▶ GOAL 5: Organization Culture and Communication

Build a professional and inclusive Town organization that is fiscally responsible, seeks innovative practices, and values the development of staff.

▶ TOP PRIORITY INITIATIVES

1. Establish a quarterly (at least) update of strategic initiatives that includes the responsible party and timelines. (Complete)
2. Complete a review of the Charter and procedural rules of the Commission. (Complete)
3. Evaluate human resource policies for overtime, insurance selection, employee evaluation, compensation, comparative benefits, and training programs. (In-Process)

▶ HIGH PRIORITY INITIATIVES

1. Evaluate current department policies and practices to enhance efforts to improve customer service. (On-Hold)
2. Develop a communication plan to market Wendell to external interests and increase communication for internal interests. (Complete with ongoing evaluation)



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Goal 5 - Likely Next Steps in FY 21

- ▶ Continue improvements to the CIP, long-range fiscal planning, performance goals, and other Budget document improvements to incorporate GFOA reviewer feedback
- ▶ Update the staffing needs analysis (annual)
- ▶ Incorporate presented IT program needs in the CIP and operating budget
- ▶ Evaluate Communication Plan Implementation after Year 1
- ▶ Seek program recognition for audit and budget again from GFOA
- ▶ Implement the biennial strategic planning process
- ▶ Develop an ADA Transition Plan
- ▶ Complete customer service evaluations
- ▶ Complete an evaluation employee evaluation systems

Strategic Plan Process for FY 21 Budget

- ▶ FY 21 is a Mid-Year Plan Update, not a New Plan
- ▶ Update the existing plan implementation and align in Budget
 - ▶ Receive input from Commission and Departments
 - ▶ Priority review at Budget Retreat 2-29-2020
 - ▶ Present draft revised strategic plan at Board meeting
 - ▶ Incorporate revised strategic plan in Budget document for adoption
- ▶ Budget for starting a new 2-year plan in FY 2021
 - ▶ Plan will encompass FY 22 and FY 23 Budgets
 - ▶ Provide for significant community, appointed board, Commission, and staff input
 - ▶ Start late summer 2020 and adopt by December 2020
 - ▶ Implementation will start in July 2021

4. STRATEGIC PLAN

2d. Commissioner Committee Assignment Discussion

Town Clerk Megan Howard and Town Manager Marc Collins presented the following information to the Board:

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Town of Wendell
Elected Officials Committee
Assignment Packet

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Under item 7 on the Agenda entitled, "Other Business," is the Update on Board and Committees. The committees below are represented on the agenda. Depending on when the Board meets will determine if an update is provided by an elected official. Items highlighted in blue are additional boards that do not come under item 7 currently but could be included on the agenda at the Board's pleasure.

Capital Area Metropolitan Planning Organization (CAMPO)

Mayor Gray – Primary representative Alternate – vacant

421 Fayetteville Street, Suite 203, Raleigh, NC

The Capital Area MPO is comprised of three parts: An Executive Board, a Technical Coordinating Committee (TCC,) and a staff that serves the members of these boards. The MPO is responsible for carrying out an annual work program approved by the Executive Board, a portion of which includes updating the Metropolitan Transportation Improvement Program and the Long-Range Transportation Plan.

CAMPO Executive Board is the decision-making body of the MPO. It is comprised of elected officials from member governments, as well as stakeholders from other agencies. The Executive Board typically meets monthly at 4:00 p.m. on the third Wednesday of each month, unless otherwise listed on the calendar. Calendar can be found at <https://www.campo-nc.us/about-us/executive-board>

2020 Meeting dates and times are currently as follows:

- January:** Wednesday, Jan. 15th at 4 p.m.
- February:** Wednesday, Feb. 19th at 4 p.m.
- March:** Wednesday, Mar. 18th at 4 p.m.
- April:** Wednesday, Apr. 15th at 4 p.m.
- May:** Wednesday, May 20th at 4 p.m.
- June:** Wednesday, Jun. 17th at 4 p.m.
- July:** Wednesday, Jul. 15th at 4 p.m.
- August:** Wednesday, Aug. 19th at 4 p.m.
- September:** Wednesday, Sep. 16th at 4 p.m.
- October:** Wednesday, Oct. 21st at 4 p.m.
- November:** Wednesday, Nov. 18th at 4 p.m.
- December:** Wednesday, Dec. 16th at 4 p.m.

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N.C. CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION

EXECUTIVE BOARD BYLAWS

(January 18, 2017)

ARTICLE I - NAME

The name of this organization shall be the Capital Area Metropolitan Planning Organization Executive Board.

ARTICLE II - PURPOSE

The purpose and goals of the Executive Board shall be:

- To develop and direct a continuing, comprehensive transportation planning process carried on cooperatively by the State and local communities in concurrence with Federal guidelines.
- To advise the policy boards of local government members of the Capital Area Metropolitan Planning Organization on the status of needs identified through the continuing transportation planning process.
- To facilitate coordination and communication between local policy boards and agencies represented on the Executive Board and the Technical Coordinating Committee (TCC).
- To facilitate coordination between the local policy boards of the members of the Capital Area Metropolitan Planning Organization and the North Carolina Board of Transportation.
- To assist the general public in understanding decisions and policies of the policy boards.
- To act as a forum for cooperative decision-making by elected officials of this metropolitan area in cooperation with the State, thereby serving as the basis for a cooperative planning process.

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ARTICLE III - RESPONSIBILITIES

As specified in the Memorandum of Understanding (Agreement No.12-16-93), the responsibilities of this committee shall include:

- Establishment of goals and objectives for the transportation planning process.
- Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- Review and approval of changes to the Urbanized Area Boundary, and the Metropolitan Area Boundary, as well as review and make recommendations for changes to the National Highway System;
- Review and approval of the annual Capital Area Metropolitan Planning Organization Unified Planning Work Program (UPWP);
- Review and approval of changes to the adopted Capital Area Metropolitan Planning Organization Long-Range Comprehensive Transportation Plan. (As required by General Statutes Section 136-66.2(d), revisions in the area's thoroughfare plan must be jointly approved by the local governing board having jurisdiction and the North Carolina Department of Transportation). And,
- Review and approval of the Capital Area Metropolitan Planning Organization Transportation Improvement Program (TIP) for multimodal capital and operating expenditures to insure coordination between local and State capital and operating improvement programs;

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ARTICLE IV - MEMBERS

Section 1 - Number and Qualifications:

As specified in the Memorandum of Understanding (Agreement No.12-16-93), the Executive Board shall include as voting members:

The membership of the **Executive Board**

- One member of the Angier Town Council
- One member of the Apex Town Council
- One member of the Archer Lodge Town Council
- One member of the Bunn Town Council
- One member of the Cary Town Council
- One member of the Clayton Town Council
- One member of the Creedmoor Board of Commissioners
- One member of the Franklinton Town Board of Commissioners
- One member of the Fuquay-Varina Town Board of Commissioners
- One member of the Garner Board of Aldermen
- One member of the Holly Springs Town Council
- One member of the Knightdale Town Council
- One member of the Morrisville Town Council
- One member of the Raleigh City Council
- One member of the Rolesville Town Board of Commissioners
- One member of the Wake Forest Town Board of Commissioners
- One member of the Wendell Town Board of Commissioners
- One member of the Youngsville Town Board of Commissioners
- One member of the Zebulon Town Board of Commissioners
- One member of the Franklin County Board of Commissioners
- One member of the Granville County Board of Commissioners
- One member of the Harnett County Board of Commissioners
- One member of the Johnston County Board of Commissioners
- One member of the Wake County Board of Commissioners
- Three members of the North Carolina Board of Transportation representing the Highway Divisions (currently 4, 5, and 6) within the Metropolitan Planning Area
- One member of Triangle Transit
- One member of the NC Turnpike Authority, ex-officio non-voting member
- One member of the Butner Town Council, ex-officio non-voting member;
- One member of the Louisburg Town Council, ex-officio non-voting member; and
- The Division Administrator of the Federal Highway Administration or his or her representative who shall serve as an advisory, ex officio non-voting member.

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Section 2 - Terms of Office:

Members of the Executive Board shall be designated by the local governing boards or agencies that they represent. Members shall remain in office until (1) their designation has been rescinded by their respective local governing board; (2) their local governing board has designated a duly qualified replacement member, or (3) their membership in their respective local governing board has ceased. It is recommended that the appointed Executive Board member be the jurisdictional Mayor, the County Commission Chair, or a senior member of the Board, Council or Commission.

Section 3 - Alternates

Each member local government policy board may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. The alternate member may serve as a full voting member during any meeting where that board's representative is not in attendance. Proxy and absentee voting are not permitted.

Section 4 - Standing

Member jurisdictions that regularly attend scheduled meetings of the Executive Board, per Article VI, Section 4 – Attendance, have complied with all requirements of the State Ethics Act pertaining to MPO Executive Board members, and are up-to-date in payments of member dues are considered to be in good standing.

ARTICLE V - OFFICERS

Section 1 - Officers Defined:

The officers of the Executive Board shall consist of a Chairman and Vice-Chairman, to be elected by the members of the Executive Board.

Section 2 - Elections:

The Chairman and Vice-Chairman shall be elected annually at the first regularly scheduled meeting of the calendar year. The newly elected Chairman and Vice-Chairman shall take office immediately following the election.

Section 3 - Terms of Office:

The term of office for officers shall be one year. Officers may serve successive terms but shall be limited to three (3) successive terms. Each officer shall hold office until his/her successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

Section 4 - Duties of Officers:

The Chairman shall call and preside at meetings and appoint committees. The Chairman shall

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appoint a staff member to serve as Clerk of the Committee. The Clerk shall provide or otherwise delegate staff service for the Executive Board, as needed, and will be responsible for taking summary minutes of the Committee's proceedings. The Clerk shall maintain a current copy of these Bylaws as an addendum to the Memorandum of Understanding, to be distributed to the public upon request.

In the absence of the Chairman, the Vice-Chairman shall preside and complete all other duties of the Chairman.

ARTICLE VI – MEETINGS

Section 1 - Regular Meetings:

Meetings will be held monthly on the third Wednesday of the month. Meeting notices and agendas are to be mailed in sufficient time for them to have been received by each committee member at least seven (7) days prior to the meeting. Unless otherwise stated, all meetings will begin at 4:00 pm. Regular meetings may be canceled by the Chairman should there be insufficient business on the Board's tentative agenda.

Section 2 - Special Meetings:

Special meetings may be called by the Chairman with seven (7) days notice, or at the request of the majority of the eligible voting members. Whenever possible, at least four (4) days notice shall be given.

Section 3 - Quorums:

A quorum of the Executive Board shall consist of greater than fifty percent (50% +1) of voting members in good standing who together represent a minimum of one more than fifty percent (50% +1) of the total optional weighted votes of members in good standing (see Section 6).

Section 4 - Attendance:

Each member shall be expected to attend each regular meeting and each special meeting provided at least four (4) days notice is provided. For members not attending three (3) consecutive Executive Board meetings, the Chairman will send to the chief elected officer of the jurisdiction of the member in question a letter indicating the number of absences and requesting reaffirmation or redesignation of the jurisdiction's representative. Members will be considered non-voting members for the purpose of determining a quorum, and considered to be 'not in good standing' as of the third meeting. A member's or alternate's voting privileges will be reinstated at the first Executive Board meeting he/she attends.

Section 5 - Agenda:

The agenda is a list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous Executive Board meetings, or are placed on the agenda prior to its distribution by any member of the Executive Board, by request from any jurisdiction or agency

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party to the Memorandum of Understanding, or by the request of the Chairman of the Technical Coordinating Committee. Additional items may be placed on the regular agenda following discussion of the last item on the regular agenda, as long as a majority concurrence of the present and eligible voting members is received.

Section 6 - Voting Procedures:

The Chairman and any member may call for a vote on any issue, provided that it is seconded and within the purposes set forth in Article II and provided the issue is on the agenda as outlined in Section 5 of this article. As specified in the Memorandum of Understanding, a majority vote of the voting membership shall be sufficient for approval of matters coming before the Executive Board with the exception that an Executive Board member may invoke the following weighted voting procedures on any matter. The weighted voting procedures shall be approved annually at the first regularly scheduled meeting of the calendar year.

WEIGHTED VOTING SCHEDULE

(to be updated periodically)

<u>Local Governing Body</u>	<u>Votes</u>
Angier	1
Apex	5
Archer Lodge	1
Bunn	1
Cary	15
Clayton	2
Creedmoor	1
Franklinton	1
Fuquay-Varina	3
Garner	3
Holly Springs	4
Knightdale	2
Morrisville	3
Raleigh	44
Rolesville	1
Wake Forest	4
Wendell	1
Youngsville	1
Zebulon	1
Franklin County	4
Granville County ^b	2
Harnett County ^b	2
Johnston County ^b	9
Wake County ^b	21

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GoTriangle ^c	1
N. C. Board of Transportation ^d	3
<u>TOTAL</u>	<u>131</u>

- a Each member local government has been apportioned weighted voting based on the most recent Certified NC Population Estimates utilizing a vote weighting formula of one vote for each 10,000 population, or portion thereof.
- b County populations are the estimated persons within the Metropolitan Area Boundary including the area within the Municipalities' Extraterritorial jurisdictions assigned by the County but outside the corporate limits of the Municipalities.
- c The GoTriangle Board of Trustees shall appoint one member to represent regional transit interests on the Executive Board, and that member shall count as one vote.
- d One vote per member

The Chairman, voting members, and qualified alternates are permitted to vote. Non-voting members and unauthorized alternates are not permitted to vote. Abstentions shall be considered affirmative votes. By approval of the Executive Board, a member may withdraw from voting on an issue. In the absence of any direction from these Bylaws or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting.

ARTICLE VII - AMENDMENTS TO BYLAWS:

Amendments to these Bylaws of the Executive Board shall require the affirmative vote of eligible voting members who together represent at least two-thirds of the weighted vote, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is to be considered and provided that such amendment does not conflict with the letter or fundamental intent of the Memorandum of Understanding governing this document. In the event of any conflict, the Memorandum of Understanding shall carry precedence over these Bylaws.

These Bylaws were originally approved by the Capital Area Metropolitan Planning Organization Transportation Advisory Committee (now Executive Board) on July 8, 1993.

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INFORMATION ON AMENDMENTS:

DATE APPROVED:

January 18, 2017

DESCRIPTION OF AMENDMENT:

Global

Changed name of Transportation Advisory Committee (TAC)
to Executive Board
New Adoption Date: January 18, 2017

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Article IV – Members

Section 1 – Number and Qualifications

Added one member from the Archer Lodge Town Council Corrected Morrisville's governing body to Town Council from Town Board of Commissioners

Clarified non-voting status of members from NC Turnpike Authority, Butner Town Council, Louisburg Town Council, and Federal Highway Administration.

Section 4 – Standing

Added requirement that member jurisdictions' members must have complied with all requirements of the State Ethics Act pertaining to MPO Executive Board members in order to be considered to be in good standing.

Deleted the statement that members not in good standing would be subject to a penalty for project funding.

Article V – Officers

Section 3 – Terms of Office

Terms of office for Officers was expanded to be limited to three (3) successive one-year terms, instead of two (2) successive one-year terms.

Article VI – Meetings

Weighted Voting Schedule

Weighted voting schedule was updated to reflect latest population estimates. Votes for Apex increased from 4 to 5; votes for Archer Lodge increased from 0 to 1; votes for Cary increased from 14 to 15; votes for Fuquay-Varina increased from 2 to 3; votes for Holly Springs increased from 3 to 4; votes for Morrisville increased from 2 to 3; votes for Raleigh increased from 41 to 44; votes for Wake Forest increased from 3 to 4; votes for Johnston County increased from 7 to 9; votes for Wake County increased from 19 to 21.

Updated name of Triangle Transit Authority to GoTriangle Board of Trustees.

February 15, 2012

Article IV – Members

Section 1 - Number and Qualification of Members

Modified Triangle Transit Authority to Triangle Transit Added NC Turnpike Authority as Ex Officio member Added Towns of Archer Lodge, Butner and Louisburg as Ex Officio members

Section 2 – Terms of Office

Added – It is recommended that the TAC member be the jurisdictional Mayor, the County Commission Chair, or a senior member of the Board, Council or Commission.

Added Section 4 - Standing

Added - Member jurisdictions that regularly attend scheduled meetings of the TAC and are up-to-date in payments of member dues are considered to be in good standing. Member jurisdictions not in good standing will be subject to a penalty for project funding.

Article V – Officers

Section 3 – Terms of Office

Added - but shall be limited to two (2) successive terms.

Article VI – Meetings

Section 2 – Special Meetings

Added - Whenever possible four (4) days notice shall be given

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Section 3 – Quorum

Changed quorum requirements to greater than fifty percent (50% +1) of voting members in good standing ... total optional weighted votes of members in good standing

Section 4 – Attendance

Changed 7 day notice for meetings/special meetings to 4 days Added - Members will be considered non-voting members for the purpose of determining a quorum, and considered to be 'not in good standing' as of the third meeting. A member's or alternate's voting privileges will be reinstated at the first TAC meeting he/she attends.

Section 6 – Voting Procedures:

Updated weighted voting schedule

Changed apportionment source to current Certified NC Population Estimates

Update note from Wake to all county population Added note for NCBOT - One vote per member Revised - The Chairman, voting members, and qualified alternates are permitted to vote.

January 18, 2006

Change quorum requirements from seven (7) to fourteen

(14);

add: Cities/Towns of Angier, Bunn, Clayton, Creedmoor, Franklinton and Youngsville, and counties of Franklin, Granville, Harnett, and Johnston; adjust weighted voting based on latest NC Certified Population Estimates.

November 18, 1998

Change quorum requirements from eight (8) to seven (7).

April 16, 1997

Change TAC Meeting date and time to the third Wednesday of the month at 4:00 pm.

January 16, 1997

MOU (Agrmt. # 12-16-93)

Add Rolesville, Wendell and Zebulon as per

Ethics Compliance

According to state law, MPO Executive Board members are required to comply with N.C. Ethics Commission mandatory filing and disclosure requirements. Board members must file a Statement of Economic Interest and Real Estate disclosure form prior to serving as a voting member of the Executive Board. Members must update their filings by April 15 of each year or could face penalties. More information, including access to the appropriate forms, is available on the NC Ethics Commission website.

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Eastern Wake Senior Center

Primary – vacant Alternate – vacant

323 Lake Drive, Wendell, NC, 27591

Contact for 2020 schedule is East Wake Senior Center: (919) 365-4248 Flyers posted inside the Senior Center for calendar. Will be going over the bylaws January 16th at their next meeting. Norma is the coordinator will be back after 27th of December.
ewscordinator@rfsnc.org

Next meeting: January 16th, 2020 at 12 p.m.

North Carolina League of Municipalities (NCLM)

Primary – vacant Alternate – vacant

The NCLM League holds numerous events and training opportunities for members throughout the year. They offer both in-person and online training for all members that involve networking with fellow local government officials, hearing from thought leaders on emerging issues facing municipalities, and providing practical training in local government.

Some upcoming opportunities include:

City Vision 2020: May 5-7, in Wilmington, NC.

Two full days of engaging speakers, educational sessions with tools you can use, and networking opportunities that connect you to both new and established partners from across the state.

On-Demand Process & Procedures for Successful Board Meetings: 30-minute webinar

This training walks elected officials through the basics for navigating the first meeting and being sworn into office. Prior to taking the Essentials of Municipal Government course, it will take you through holding an organizational meeting, the oath of office, parliamentary procedure and more process details related to your new role during board meetings.

Essentials of Municipal Government: December and January, 11 locations statewide.

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New and returning municipal elected officials are invited to join the League and UNC School of Government for this one-day workshop designed to provide municipal elected leaders with the knowledge and skills necessary to transition from campaigning to governing. Upcoming dates and locations for this training are as follows:

January 9th, 2020: Winston Salem, NC, 8:30 a.m. to 5:30 p.m.

January 10th, 2020: Kannapolis, NC, 8:30 a.m. to 5:30 p.m.

January 11th, 2020: Fayetteville, NC, 8:30 a.m. to 5:30 p.m.

January 23rd, 2020: Durham, NC, 8:30 a.m. to 5:30 p.m.

January 30th, 2020: Wilmington, NC, 8:30 a.m. to 5:30 p.m.

January 31st, 2020: New Bern, NC, 8:30 a.m. to 5:30 p.m.

Budgeting & Municipal Finance: Online Course

This online module will walk local government elected officials through the municipal budgeting process from planning through audits. You'll learn what statutory requirements for municipal budgets exist and the best practices for planning and managing your town's budget process. Registration opens early Spring 2020.

Wendell Volunteer Fire Department Board of Directors

Primary – vacant Alternate – vacant

2960 Wendell Blvd., Wendell, NC, 27591

Meets the first Thursday of the month at 7:30 p.m. at Wendell Fire Department, Station 1. The mission of the Fire Commission shall be to make formal recommendations to the Wake County Board of Commissioners on fire protection and emergency services delivery applicable to those departments covered under the venue of the Fire Commission.

Next Meeting: Thursday, February 6th at 7:30 p.m.

The Roles of Fire Commission members as approved by the Wake County Board of Commissioners are:

- Reviewing and making recommendations on operating budget requests.
- Reviewing and making recommendations on CIP budget requests.
- Reviewing and supporting firefighter and volunteer incentive retention and

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recruitment programs.

- Making recommendations to the Wake County Board of Commissioners for continuing improvement of the fire protection system.
- Reviewing ISO and consultants reports and recommending action for improvement as deemed necessary.
- Developing and providing overview of all service district operational regulations and guidelines for the Wake County Fire protection service district.

Fire Commission Rules of Procedure:

I. Name

The name of this board appointed to serve the Wake County Board of Commissioners shall be referred to as the Wake County Fire Commission (hereinafter referred to as the Fire Commission).

II. Mission

The mission of the Fire Commission shall be to make formal recommendations to the Wake County Board of Commissioners on fire protection and emergency services delivery applicable to those departments covered under the venue of the Fire Commission.

The roles of the Fire Commission members as approved by the Wake County Board of Commissioners are:

- A. Reviewing and making recommendations on operating budget requests.
- B. Reviewing and making recommendations on CIP budget requests.
- C. Reviewing and supporting firefighter and volunteer incentive retention and recruitment programs.
- D. Making recommendations to the Wake County Board of Commissioners for continuing improvement of the fire protection system.
- E. Reviewing ISO and consultants reports and recommending action for improvement as deemed necessary.
- F. Developing and providing overview of all service district operational regulations and guidelines for the Wake County fire protection service district.

III. Membership and Composition

As approved by the Wake County Board of Commissioners, the structure of the Fire Commission is:

- A. Wake County Board of Commissioner member (1)
- B. Representatives of fire service planning and service regions (4)
- C. President of Wake County Firefighters' Association (1)
- D. Public consumers (5)
- E. Representatives of municipalities participating in Fire Protection Service District (1 seat per each participating municipality)
- F. County Staff (non-voting)

Appointment and Term - The Wake County Board of Commissioners shall make all primary and alternate appointments to the Fire Commission. All appointments shall comply with established rules and procedures of the Board of Commissioners. Any person appointed

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by the Wake County Board of Commissioners to fill an unexpired term shall be appointed to serve the duration of the term.

A. Wake County Board of Commissioners Appointee (1) - The Wake County Board of Commissioners shall appoint a member to serve as the Board of Commissioner appointee to the Fire Commission. The Board of Commissioners, at their discretion, may appoint an alternate Commissioner, to represent the Commissioners in the event of the absence of the appointed Commissioner.

B. Fire Service Positions (4) - Each fire service planning and service region shall elect two representatives from each region be represented on the Fire Commission. One representative shall be identified as the primary representative to the Fire Commission. The second representative shall be identified as the alternate representative. The representative shall serve for a period of two years. The selection of the region representative shall be based upon vote of the members of that region, with that person's name submitted to the Wake County Board of Commissioners for approval. Should an appointed region representative's status within his region or fire department change, the fire service region may make a recommendation to the Board of Commissioners that the appointee be removed from the Fire Commission and request that another representative of that region be appointed to the Fire Commission.

C. President of Wake County Firefighters' Association (1) - The President of the Wake County Firefighters' Association shall receive an automatic recommendation for appointment to the Fire Commission. The appointed term of the President of the Wake County Firefighters' Association shall coincide with the President's tenure as President of the Association. Should the President be replaced by another member of the Firefighters' Association, the Wake County Board of Commissioners shall appoint the person serving as President of the Association to the Fire Commission. The President of the Wake County Firefighters' Association shall recommend an alternate representative for appointment.

D. Citizen Appointees (5) - The Wake County Board of Commissioners shall appoint five citizens to serve on the Fire Commission. Each appointment shall be for a two-year term. The Wake County Board of Commissioners shall have the option to appoint alternates for the Citizen Appointees.

E. Municipal Representatives (1 seat per each participating municipality) - Municipalities that elect to join the Fire Protection Service Tax District shall receive one seat on the Fire Commission.

F. Director - Wake County Department of Fire and Emergency Management (non-voting) - The Director and his staff shall provide administrative support to the Fire Commission. The Director and/or his designee may be called on to provide requested information and/or advice to the Commission. He may participate in any discussions, however is not permitted to vote.

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G. Recommendation for Removal from Fire Commission – Other than those actions outlined in Section V (K) of this document, the Fire Commission may recommend to the Wake County Board of Commissioners the removal of any appointed member for actions that might damage or compromise the integrity of the Fire Commission or any committee thereof. This will require a majority vote of the Fire Commission, excluding the member under consideration. It is the responsibility of the Wake County Board of Commissioners to determine if grounds are sufficient to warrant removal of the appointee from the Fire Commission.

a. Removal of Committee Chair or Member – The Fire Commission has the power to remove a committee chair or member deemed to have acted in a manner that damage or compromise the integrity or used his/her position in a manner inconsistent with the intent of the Fire Commission. A two thirds majority of the Fire Commission is required for the removal.

IV. Fire Commission Officers

A. Fire Commission Chair - The Fire Commission will elect a Chair annually from among the voting membership. The Chair shall preside at Fire Commission meetings if he or she is present. The chair may vote in all cases. In order to address the Fire Commission, a member must be recognized by the chair.

If the chair is absent, the vice-chair shall preside. If both the chair and vice-chair are absent, another member designated by vote of the Fire Commission shall preside. The vice-chair or another member who is temporarily presiding retains all of his or her rights as a member, including the right to make motions and the right to vote.

If the chair becomes actively involved in debate on a particular matter, he or she may designate another Fire Commission member to preside over the debate. The chair shall resume presiding as soon as action on the matter is concluded.

The presiding officer shall have the following powers, to include but not be limited to:

- To rule motions in or out of order, including any motion deliberately offered to obstruct or delay the conducting of Fire Commission business;
- To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- To entertain and answer questions of parliamentary law or procedure;
- To call a brief recess at any time;
- To adjourn in an emergency.

A decision by the presiding officer under any of the powers listed may be appealed to the Fire Commission upon motion of any Commission member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

B. Fire Commission Vice-Chair - The Fire Commission will elect a Vice-Chair annually from among the voting membership. The position of Vice-Chair shall be a voting position. The role of the Vice-Chair shall be to serve as the presiding officer of the Fire Commission

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in the absence of the Chair. While serving as the presiding officer, the Vice-Chair shall have the same powers as the Chair.

V. Meetings

The Fire Commission shall meet as needed to accomplish its mission as designated by the Chair.

A. Regular Meetings

The Fire Commission shall hold a regular meeting on the third Thursday of every other month beginning in January of each year, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. The meeting shall be held at the Wake County Emergency Medical Services Training Center unless otherwise scheduled elsewhere and shall begin at 7:00 PM.

B. Special Emergency and Rescheduled Meetings

(a) Special Meetings.

The chair or a majority of the members may at any time call a special meeting of the Fire Commission. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be given to each Fire Commission member and to the Clerk to the Board of County Commissioners.

A special meeting may also be called or scheduled by vote of the Fire Commission in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be given to each Fire Commission member and to the Clerk to the Board of County Commissioners.

Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all members are present and (2) the Fire Commission determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

(b) Emergency Meetings.

The chair or a majority of the members may at any time call an emergency meeting of the Fire Commission by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each Fire Commission member and to the Clerk to the Fire Commission of County Commissioners. Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the Fire Commission. Only business connected with the emergency may be considered at an emergency meeting.

(c) Recessed Meetings.

A properly called regular, special, or emergency meeting may be recessed to a time and place certain by a procedural motion made and adopted in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting

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will reconvene. No further notice need be given of such a recessed session of a properly called regular, special, or emergency meeting.

C. Organizational Meeting

On the date and at the time of the regular meeting in January, the Fire Commission shall nominate and elect from its own membership a Chair and Vice-Chair. Beginning with the regular Fire Commission meeting in January the Chairperson will open the nominations and accept nominations from the Fire Commission members. The Chairperson shall close the nominations and if necessary, immediately conduct an election. A simple majority of those voting, providing a quorum is present, shall be sufficient in determining the outcome.

D. Cancellation and Rescheduling of Meetings

The Chair may cancel or reschedule a scheduled regular meeting upon determining that there will be no business for the Fire Commission to consider at that meeting, or sufficient notification has been given that indicates that there will be not be a quorum at the meeting.

E. Meeting Notice - Regular Meeting

A regular schedule specifying the time, date, and place of the Fire Commission's regular meetings for the calendar year will be kept on file with the Clerk to the Wake County Board of Commissioners. Any revision to the schedule will be sent to the Clerk at least seven calendar days before the first meeting to be held under the revised schedule.

F. Meeting Notice – Special Meetings

For any Fire Commission meeting to be held at a time or place other than those shown on the filed schedule of the Fire Commission's meeting, a written notice of the date, time, and place and purpose of the meeting will be sent to the Clerk to the Wake County Board of Commissioners at least three calendar days before the meeting.

G. Meeting Cancellations

For cancellations of any meeting, all Fire Commission members will be notified at least 24 hours before the scheduled meeting time. Fire Commission members may be notified via phone, fax, e-mail, or in writing. In addition, written notice will be sent to the Clerk to the Wake County Board of Commissioners at least 24 hours before the scheduled meeting time.

H. No Notice – Continuation of Recessed Meetings

If the Fire Commission recesses a regular or special meeting for which proper notice was given, after the Chair has announced in open session the time and place at which the meeting will be continued, no further notice needs to be given for the continuation of the meeting.

I. Quorum

A majority of the actual membership of the Fire Commission excluding vacant seats shall constitute a quorum. A majority is more than half. The Chair shall be considered a member of the Fire Commission in determining the number on which a majority is based and in counting the number of members actually present.

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A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present. The Chair may not call a meeting to order until such time as a quorum is present unless, after waiting a reasonable time past the meeting's scheduled starting time, the Chair determines that there is no hope of obtaining a quorum. In that case, the Chair will call the meeting to order, note the lack of a quorum, and adjourn the meeting. If a quorum ceases to be present at any time during a meeting, the Chair will note the lack of a quorum, order the cessation of business, and adjourn the meeting.

J. Attendance

All members of the Fire Commission are expected to be present at all regularly scheduled meetings. Members who are not physically present but are in direct contact via telephone or internet shall be counted present. NOTE: It is not the intent of the previous sentence to encourage telecommuting for Fire Commission meetings. The intent is to provide for those members who, for a legitimate reason, cannot be physically present for the meetings a means to be involved in the Commission's business and represent those he/she is responsible.

Absences due to health, family emergencies, and shift assignment (fire service where no relief can cover) and work conflict (citizen members) are considered excused for the purpose of this section. All others are considered unexcused.

(a) Committees

Members of any Fire Commission committee are also expected to attend all committee meetings. Therefore, the same standard of attendance is required for Committee members.

K. Action for Nonattendance

Should any appointed member of the Fire Commission, other than alternate appointees, have three (3) unexcused absences within a calendar year, the Fire Commission shall make a recommendation to the Wake County Board of Commissioners that the appointee be removed from the Fire Commission and that a new person be appointed to fulfill the unexpired term of the original appointee.

It should be noted the importance of consistent attendance by all Fire Commission members. In the event a pattern is noted concerning a lack of consistent attendance by a member, the Chair shall recommend to the Board of Commissioners the replacement of that member.

(a) Committees

Absences due to health, family emergencies, and shift assignment (fire service where no relief can cover) and work conflict (citizen members) are considered excused for the purpose of this section. All others are considered unexcused.

L. Meeting Agenda

The agenda should be prepared to achieve two functions:

- Focus the Fire Commission by determining what issues will be considered at the meeting and what order each issue will be considered.
- Serve as a guide to the public as to what issues will be considered at the meeting.

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(a) Proposed Agenda. The Chair determines the content and order of the agenda for Fire Commission meetings. The Chair will advise the Wake County Director of Fire and Emergency Management as to the content of the agenda. At least 7 calendar days before the Fire Commission's next scheduled meeting, the Director of Fire and Emergency Management will prepare the meeting's agenda. Copies of the Fire Commission proposed agenda and any supporting documents shall be emailed to all Commission members and chief officers of all departments prior to the applicable meeting.

Any Fire Commission member may, by a timely request, have an item placed on the proposed agenda. A request to have an item of business placed on the agenda must be received at least 10 working days before the meeting. Each member that requests an item to be on the agenda shall provide a copy of all proposed information, reports, resolutions, etc., that will be attached to the proposed agenda. All agenda documents shall be submitted in the format (see attachment page 18 of 18) identified by the Director of the Fire and Emergency Management Department.

An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce and/or distribute. Each Fire Commission member shall receive a copy of the proposed agenda and the agenda package and the materials shall be available for public inspection and/or distribution when they are distributed to the Fire Commission members.

(b) Adoption of the Agenda. As its first order of business at each meeting, the Fire Commission shall discuss and revise the proposed agenda and adopt an agenda for the meeting. The Fire Commission may, by majority vote, add items to or subtract items from the proposed agenda, except that the Fire Commission may not add items to the agenda of a special or emergency meeting unless (a) all members are present and (b) the Fire Commission determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Fire Commission may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Fire Commission members.

The Fire Commission may designate certain agenda items "for discussion and possible action." Such designation means that the Fire Commission intends to discuss the general subject area of that agenda item before making any motion concerning that item.

(c) Open Meetings Requirements. The Fire Commission shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Fire Commission to understand what is being deliberated, voted, or acted on. However, the Fire Commission may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda—sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on—are available for public inspection at the meeting.

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M. Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- Discussion and revision of the proposed agenda; adoption of an agenda
- Approval of the minutes
- Unfinished business
- New business
- Committee reports
- Appointments
- Informal discussion and public comment

By general consent of the Fire Commission, items may be considered out of order.

N. Conduct of Meetings

The deliberations of all meetings of the Fire Commission and various subcommittees shall be governed by NCGS 143-318, N.C. Open Meeting Law, these Rules of Procedure, and Robert's Rules of Order, Newly Revised. The Fire Commission shall conduct business in accordance with the distributed agenda.

All official meetings of the Fire Commission will be open to the general public and any person is entitled to attend. An "official" Fire Commission meeting is any gathering together of, or simultaneous communication between, a majority of Fire Commission members for the purpose of considering the public business of the Fire Commission. A purely social gathering or communication does not constitute an official meeting.

As presiding officer, the Chair may take whatever action is necessary to provide opportunity for discussion on issues, focus comments and discussion on issues being considered, ensure orderly meetings, and ensure the efficient and effective disposition of issues before the Fire Commission. At the time the meeting is scheduled to begin, or at some reasonable waiting time thereafter if a quorum is not initially present, the Chair will call the meeting to order and announce which members are absent.

VI. Action by the Fire Commission

The Fire Commission shall proceed by motion as provided for in this section. Any member, including the Chair, may make a motion. A motion must be on the floor before a Fire Commission may proceed with discussion or action.

After a motion is made, the Chair shall state the motion and then open the floor for debate.

The Chair shall preside over the debate according to the following general principles:

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before someone who has already spoken.

To the extent possible, the debate shall alternate between proponents and opponents of the motion.

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

The introducer may withdraw a motion at any time before it is amended or before the Chair puts the motion to a vote, whichever occurs first.

- **Second Required** - A motion requires a second.

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- **One Motion at a Time** - A member may make only one motion at a time.
- **Substantive Motions** - A substantive motion (any motion other than a procedural motion) is out of order while another substantive motion is pending.
- **Adoption by Majority Vote** - A motion shall be adopted by a majority of the votes cast, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

Procedural Motions

A. Certain Motions Allowed. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

B. Order of Priority of Motions. In order of priority (if applicable), the procedural motions are:

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the Chair ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the whole of the Fire Commission. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to [recess] [adjourn] to a time and place shall also comply with the requirements of Section V. Meetings, B. (c).

Motion 3. To Take a Brief Recess. This motion may be made to provide a break of no more than fifteen (15) minutes to allow members to attend to personal matters, attempt to gather necessary information for Committee actions, or for basic relief. The Chair shall determine the length of the recess.

Motion 4. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity or it is waived.

Motion 5. To Suspend the Rules. The Fire Commission may not suspend provisions of the rules that state requirements imposed by law on the Fire Commission. For adoption, the motion requires an affirmative vote equal to a two-thirds majority of the entire membership of the Fire Commission.

Motion 6. To Go into Closed Session. The Fire Commission may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11(a) (1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the Fire Commission expects to receive advice during the closed session, if in fact such advice is to be received.

Motion 7. To Leave Closed Session.

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Motion 8. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Motion 9. To Defer Consideration. The Fire Commission may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires 60 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion, or else move to suspend the rules [Motion 5].

Motion 10. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules.

Motion 11. To Refer a Motion to a Committee. The Fire Commission may vote to refer a substantive motion to a committee for its study and recommendations Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire Fire Commission, whether or not the committee has reported the matter to the Fire Commission.

Motion 12. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed [order] [policy] [regulation] [resolution] shall be reduced to writing before the vote on the amendment.

Motion 13. To Revive Consideration. The Fire Commission may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9. The motion is in order at any time within 120 days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 120 days after the deferral unless a motion to revive consideration is adopted.

Motion 14. To Reconsider. The Fire Commission may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the "nos" prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through [recess] [adjournment] to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

Motion 15. To Rescind or Repeal. The Fire Commission may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

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Motion 16. To Prevent Reintroduction for [Six] Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to [a majority] [two-thirds] of the entire membership of the Fire Commission. If adopted, the restriction imposed by the motion remains in effect for [six] months or until the next organizational meeting of the Fire Commission, whichever occurs first.

C. Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

D. Withdrawal of a Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

VII. Duty to Vote

Every member must vote unless excused by the remaining members of the Fire Commission. A member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the Fire Commission or by law, or the member's official conduct. In all other cases, a failure to vote by a member who is physically present in the Fire Commission meeting, or who has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

A. Basis for Determining a Voting Result – A simple majority of a qualified quorum shall determine the voting result.

B. Voting Procedure – Regular business of the Fire Commission shall be ratified or opposed by a voice vote or show of hands. Per NCGS 143-318.13 (b): At no time shall the Fire Commission or any subcommittee of the Fire Commission vote by secret ballot.

C. One Vote each – Each member of the Fire Commission or subcommittee of the Fire Commission shall be entitled to one vote. Since the Chair and Vice-Chair serve as voting members their vote shall be counted.

D. Abstention – Members of the Fire Commission may register their abstention on any vote, which shall be reflected in the minutes. Members are to abstain from voting and from participating in deliberations on matters, which may pose a conflict of interest for them or an agency represented.

E. Determination of Actions – All final actions, committee appointments, or policy recommendations shall require the favorable vote of a majority of those Fire Commission or subcommittee members present and not abstaining on the vote at a duly called meeting.

F. Public Address to the Fire Commission - Any individual or group who wishes to address the Fire Commission shall make a request to the Chair be on the agenda. The

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Chair shall determine whether it will hear the individual or group. Allowable time for the address shall be no more than three (3) minutes, unless there is an affirmative vote to suspend the rule.

G. Public Hearings - Public hearings required by law or deemed advisable by the Fire Commission shall be organized by a special order that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted for each speaker, and other pertinent matters. The special order is adopted by a majority vote. Its specifications may include, but are not limited to, rules fixing the maximum time allotted to each speaker; providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the hall to listen to the hearing); and providing for the maintenance of order and decorum in the conduct of the hearing

All notice and other requirements of the open meetings law applicable to Fire Commission meetings shall also apply to public hearings at which a majority of the Fire Commission is present; such a hearing is considered to be part of a regular or special meeting of the Fire Commission. These requirements also apply to hearings conducted by appointed or elected committees of Fire Commission members, if a majority of the committee is present. A public hearing for which any required notices have been given may be continued to a time and place certain without further advertisement. The requirements of Section V. Meetings, B. (c) shall be followed in continuing a hearing at which a majority of the Fire Commission, or of a Fire Commission committee, as applicable, is present.

At the time appointed for the hearing, the Chair or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

H. Closed Sessions - The Fire Commission may hold closed sessions as provided by law. The Fire Commission shall commence a closed session only after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a) (1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a) (3) (consultation with attorney; handling or settlement of claims, judicial actions, mediations, arbitrations, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into

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closed session must be approved by the vote of a majority of those present and voting. The Fire Commission shall terminate the closed session by a majority vote, using Motion 7. Only those actions authorized by statute may be taken in closed session. A motion to adjourn shall not be in order during a closed session.

I. Minutes - Accurate minutes of the Fire Commission meetings shall be kept. The Fire Commission shall also keep an audio recording of any session. These minutes and audio recordings shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the Fire Commission, the entire Fire Commission shall be polled by name on any vote. Minutes shall be kept by a representative of the Wake County Fire Services Department.

VIII. Committees

A. Establishment and Appointment - The Fire Commission may establish and appoint members for such standing and ad hoc committees as are required to help carry on the Fire Commission's work. The Fire Commission's standing committees are:

- Budget Committee
- Apparatus Committee
- Facility Committee
- Equipment Committee
- Staffing & Compensation Committee
- Communications Committee
- Administrative Committee
- Steering Committee
- Training Committee

If the Fire Commission proposes to refer an issue to a committee for further review but the issue is not within the purview of one of the standing committees, the Fire Commission may refer it to an ad hoc committee appointed for a particular purpose. If the Fire Commission makes such a referral, the Chair will appoint members of the ad hoc committee.

B. Minimum Standing Committee Membership - Voting membership of each standing committee must consist of at least one member from each region and one voting member of the Fire Commission. Not more than two (2) departments from a single region can be represented by voting members on a committee. Each fire department can be represented by no more than one (1) voting member on each committee.

C. Standing Committee Appointments – The Fire Commission Chair shall make appointments for voting members to Standing Committees. Each committee is composed of one member and one alternate member from each of the Wake County Fire Service Regions. A Standing Committee Chairperson will be appointed by the Fire Commission Chair to manage activities of the Standing Committee. The appointed Standing

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Committee Chairperson may be a fire service representative from any region. No person can serve on more than two committees. Each fire department can be represented by no more than one (1) voting member on each Standing Committee. Citizens may be representatives on established Standing Committees. The Fire Commission Chair may appoint up to four (4) citizens members and four (4) citizen alternates to Standing Committees.

D. Standing Committee Procedures – The Chair of the Standing Committee will supervise the meetings and all minutes and agendas. Each member of the Standing Committee or subcommittee of the Fire Commission shall be entitled to one vote. Since the Chair and Vice-Chair serve as voting members their vote shall be counted. Agendas are to be sent to all Fire Chiefs whose departments fall under the fire tax districts, Fire Commission members, and each voting member of the committee at least two (2) days prior to a meeting. Final meeting minutes are to be distributed to the same persons listed above within one (1) week of a committee meeting. A Standing Committee quorum will consist of a simple majority of the members (including the Chairperson).

E. Ad-Hoc Committees – As addressed in VIII (A) - above, the Chair has the power to appoint special committees to address issues of interest to the Fire Commission that do not fall under the purview of a standing committee. The chairman of the committee can vote on any measure brought before or addressed by this committee and is responsible for presenting the findings to the Fire Commission on or before the date requested.

IX. Amendment of Rules

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute or a rule of the body that created the Fire Commission provides otherwise. Adoption of an amendment shall require an affirmative vote equal to a quorum.

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Technical Review Committee (TRC)

Primary – vacant Alternate – vacant

Town Hall, 15 E Fourth Street, Wendell, NC, 27591

Planning Director David Bergmark is the staff liaison for this committee. Meetings take place in the Planning Conference Room the second Thursday of each month at 9:30 a.m.

Next Meeting: Thursday, February 13, 2020 at 9:30 a.m.

The TRC is established and listed in the Town Code of Ordinance 14.4, which states:

“The authority to establish the Technical Review Committee for the Town of Wendell is granted under the authority of G.S. 160A-361 & 373.

A. Authority and Responsibility: The Technical Review Committee shall have the following duties and responsibilities:

1. To assist in the establishment of technical requirements for all applications, including: submission schedules, size and number of drawings, type of media, etc.;
2. To review and approve major site plans and preliminary plans for compliance with this Ordinance. In determining compliance with this Ordinance, the TRC may take the following actions:
 - a. Approve the site plan or preliminary plat as submitted (or with changes agreed to by the applicant at the meeting); or,
 - b. Deny the site plan or preliminary plat for non-compliance with this Ordinance; or,
 - c. Make recommendations to be considered by the applicant upon re-submittal to ensure compliance with this Ordinance; or,
 - d. Conditionally approve site plans or preliminary plats subject to final review by the Administrator; or,
 - e. Table the site plan or preliminary plat for further study or additional information.

B. Membership: The Technical Review Committee shall be chaired by the Planning Director (or their designee) and may consist of the following members:

1. One Board of Commissioners Member (ex-officio)
2. One Planning Board Member (ex-officio)
3. The following Departments Heads or their designee:

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- a. Planning
 - b. Utilities (CORPUD)
 - c. Fire
 - d. Public Works
 - e. Police
 - f. Parks & Recreation
4. The following technical staff (as selected by the Planning Director as needed or on a project by project basis):
- a. Planner (1)
 - b. Engineer (1)
 - c. Zoning Official (1)
 - d. Town Attorney (1)
 - e. Emergency Medical Services (1)
5. In addition, the Chair may, at their discretion, or at the request of other TRC members, invite other administrative staff members from the following organizations to participate in the meetings. Such participants shall serve in an ex-officio capacity only.
- a. Other Town of Wendell Departments
 - b. Wake County
 - c. NCDOT
 - d. Other NC State and/or Federal agencies

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Triangle J Council of Governments (J COG)

Primary – Mayor Pro Tem John Boyette Alternate – vacant

4307 Emperor Blvd., Suite 110, Durham, NC, 27703, TJCOG Large Conference Room

Triangle J COG has a Board of Delegates Meeting and an Executive Meeting. Mayor Pro Tem serves on the Board of Delegates, which is comprised of one elected official from each of the 43 counties and municipalities served by the organization. The full board meets seven times a year to set policy for TJCOG, guide programming, and discuss regional challenges. Wendell does not currently sit on the Executive Committee, so no delegate needs to be present for the Executive Meetings.

Board of Delegates Meeting Schedule: 5:30 p.m. for dinner, with the business meeting starting at 6:00 p.m.

Wednesday, January 22, 2020

Wednesday, March 25, 2020

Wednesday, April 22, 2020

Wednesday, May 27, 2020

July 2020 – No meeting

Wednesday, August 26, 2020

Wednesday, October 28, 2020

Wednesday, November 18, 2020

TJCOG's 2019-2020 Priorities:

Aging & Human Services: Connect older adults to resources, assist partners to make holistic and strategic decisions about aging services, and help local communities build aging-friendly places for the rapidly growing older adult population.

Economic Development: Coordinate local economic development efforts and provide a direct connection for member governments to the US Economic Development Administration regarding grant applications, administration, and technical assistance.

Housing: Assist communities to preserve, improve, and build quality, affordable housing through education, technical assistance, facilitation, research & data analysis, and fund administration.

Resiliency: Work with declared counties to identify projects, assist with grant applications/administration and provide technical assistance, and assess threats, stressors and potential strategies for resilience across multiple jurisdictions.

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Service to Our Member Governments: Serve critical member needs and offer technical assistance to help local governments of all sizes provide services and improve quality of life for their citizens. Member services change over time to address regional needs.

Transportation: Focus on the intersection between land use, transportation, and quality of life, and help communities think long-term about their comprehensive transportation needs.

Water: Assist with quality, quantity, and water/sewer infrastructure needs that increase as the region experiences population growth, a decrease in available funding sources, and an aging infrastructure.

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Audit Committee

Mayor Gray Town Manager Collins

Mayor Pro Tem Boyette Finance Director Kay

Town Attorney Cauley

Planning Conference Room, 15 E Fourth Street, Wendell, NC, 27591

Meets once a year prior to the Board meeting to hear the results of the Town Fiscal Year audit and provide discussion on the audit. Finance Director Butch Kay will assist with the meeting date.

Wake County Fire Commission

Lucius Jones is the Town of Wendell Representative. Municipalities that elect to join the Fire Protection Service Tax District shall receive one seat on the Fire Commission.

North Carolina Mayors Association

Primary – Mayor Gray

434 Fayetteville Street, Suite 1900, Raleigh, NC, 27601

The North Carolina Mayors Association is an information exchange association formed by North Carolina mayors. NCMA offers a unique opportunity to network and exchange information with NC Mayors. A cornerstone of NCMA is to further the shared interests of NC cities and towns. Their goal is that mayors from all over NC will learn and develop from one another. Mayors will have many opportunities to meet, learn from and take back ideas from peer mayors. NCMA serves as a collective voice, helping to lead the state on issues of importance to cities and towns.

Wake County Mayor's Association

Primary – Mayor Gray

East Wake Education Foundation

Mayor Gray – Board Member

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The Board made the following appointments to the committees, to be added to the consent agenda at the next regular board meeting for approval:

CAMPO:

Primary- Mayor Gray; Alternate-Mayor Pro Tem John Boyette

East Wake Senior Center:

Primary – Commissioner DeLoach; Alternate – Commissioner Lutz

NCLM:

Primary – Commissioner Joyner; Alternate – Commissioner Lutz

Volunteer Fire:

Primary – Commissioner Joyner; Alternate – Commissioner Lutz

TRC:

Primary – Mayor Pro Tem Boyette; Alternate – Commissioner DeLoach

Fire Commission:

Primary – Lucius Jones

TJCOG

Primary – Commissioner Tarnaski; Alternate – Commissioner DeLoach

5. REVIEW

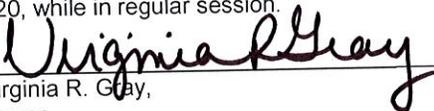
6. ADJOURN 1:00 PM

ACTION

Mover: Commissioner Lutz moved to adjourn at 1:39 p.m.

Vote: 5-0

Duly adopted this 10th day of February 2020, while in regular session.


Virginia R. Gray,
Mayor

ATTEST:


Stephanie Smith,
Deputy Town Clerk



