

ASHE COUNTY PLANNING BOARD RULES OF PROCEDURE

1. Oath of Office. Before acting as a member of Ashe County Planning Board, an appointee of the County Commissioners shall take an oath of office, as required by the North Carolina Constitution and Chapter 11 of the North Carolina General Statutes. The oath shall be administered by one of the following: Chair of the Board of Commissioners; Clerk of the General Court of Justice or Assistant Clerk or Deputy Clerk; Register of Deeds; member of the General Assembly; County Clerk; or Notary Public.

 2. Regular Meetings. The board shall hold a regular meeting on the third Thursday of each month at 5:30 p.m. at a place to be announced and upon proper notice given. Provided, that if a regular meeting day is a legal holiday, or the day before or after a legal holiday, that meeting may be held on a different day or cancelled, as determined by majority vote at a prior meeting. A scheduled meeting may be cancelled or rescheduled for good cause by agreement of the Planning Director and the Planning Board Chair. A copy of the board's current meeting schedule shall be filed with the clerk to the board of county commissioners.

 3. Special Meetings. A special meeting may be called by the chair or a majority of the board members upon no less than forty-eight hours advance written notice of the time, place and subjects to be considered. Notice shall be given by the secretary to each board member and in the form of public notice to the public and to each person and organization entitled to receive this information under the North Carolina public meetings laws.

 4. Organizational Meetings. The first meeting held in the month of August shall serve as the annual Planning Board organizational meeting. The first item of business during this meeting, if applicable, will be for newly appointed Planning Board members to take the oath of office. The next item of business will be for the election of a chair and vice-chair to serve for the ensuing year. The presiding officer shall call for nominations and the person receiving the majority of votes shall be deemed elected. If a presiding officer is nominated, another board member shall be designated to preside over that election. Upon election as chair, that person shall preside until the meeting's conclusion. The final item of business at this meeting shall be the adoption of the Planning Board Rules of Procedure for the ensuing year.
- Special additional organizational meetings shall be held on the following basis: 1) when new Planning Board members are appointed by the county commissioners; 2) to elect a new chair or vice-chair if a member serving as chair or vice-chair resigns, or 3) to elect a new chair or vice-chair if a member serving as chair or vice-chair is not reappointed by county commissioners upon the end of their term.
5. Agenda. The County Planning Director, or that person's designee, in cooperation with the board chair shall prepare for public inspection a proposed agenda for each meeting and submit it to the board prior to the start of each meeting. Any board member may, by a timely request, have an item placed on the proposed agenda. To the extent feasible, agenda documents that are relevant to the anticipated discussions will be attached to the proposed agenda. The first order of business at each meeting shall be consideration of the proposed agenda, amendments to it, and adoption of a final version. Provided, that no amendment is allowed for the agenda of a special meeting. All agenda items are for discussion and possible action (which allows discussion of a topic before a motion is made to take some specific action). For the item designated as Public Comment, the presiding officer may establish reasonable time limits for speakers as appear necessary for an orderly and efficient meeting.

6. Order of Business. The order of business shall be as follows:

- Call to Order
- Adoption of Agenda
- Approval of Minutes
- Vote on Excused Absences
- Public Comment
- Old Business
- New Business
- Informal Discussion
- Adjournment

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7. Conduct of Meetings. The elected chair presides; when absent the elected vice-chair presides; and when both are absent another member is elected to preside. Powers of the presiding officer, rules of debate, member participation and procedural motions shall be governed by extensive information contained in the most current edition of the North Carolina School of Government's publication Suggested Rules of Procedure for Small Local Government Boards and to answer procedural questions not resolved in that publication, by the most current edition of Robert's Rules of Order.

8. Board Action. Each board member may make a motion to initiate board action. A second is not required. A majority vote of the current board membership is required for official action. Any official action requires no less than three votes in favor of the action. Every member must vote, unless that member is excused from voting by the remaining members. Failure to vote by a member present shall be counted as a vote for the prevailing side.

9. Conflict of Interest. Public confidence in the actions of the Planning Board requires that each board member place public interests above personal interests. A conflict of interest exists when a member's private interest, usually of a financial or economic nature, conflicts or raises a reasonable question of conflict with the member's public duties and responsibilities. It is the duty of a member to publicly announce any potential, real or perceived conflict of interest at or before an agenda item is reached that requires or suggests such disclosure. When that disclosure is made, the remaining members of the Planning Board shall consider information from the member and from any person in attendance who desires to present information on the issue. At the conclusion, by majority vote, the remaining members shall decide if that member will be allowed to participate in the agenda item discussions and voting. A member not allowed to participate in discussions should leave the room.

10. Minutes. Full and accurate records for each meeting shall be prepared by a person designated by the County Planning Director. A complete recording of each meeting will be made through a suitable device, and this recording constitutes a matter of public record. Minutes shall be kept for each meeting, which shall include the presence of a quorum, names of members in attendance, and a summary of actions taken. Upon request of any member, the minutes shall reflect how each member voted on a motion.

11. Amendment. These rules may be amended at any meeting by unanimous vote of the members present upon thirty days notice of the general nature of the proposed amendments, or by a majority vote at an annual organizational meeting.

ADOPTED 11/3/2011. Amended 5/17/2012, 8/20/2020, 5/20/2021, 8/19/2021

These Rules for the Ashe County Planning Board are adapted from the Suggested Rules of Procedure for Small Local Government Boards, published by the Institute of Government in 1998. A separate publication describes procedures to be followed when the board conducts quasi-judicial proceedings.