

MODIFICATIONS TO SUGGESTED RULES OF PROCEDURE FOR THE
BOARD OF COUNTY COMMISSIONERS
FOURTH EDITION, 2017

The Jackson County Board of Commissioners adopt the Suggested Rules of Procedure for the Board of County Commissioners, Fourth Edition, 2017, hereinafter “Suggested Rules”, with the modifications specified below. Each section stated below is adopted as a modification to the section of the Rule stated in the Suggested Rules. If a section is not reprinted or modified below, it remains as stated in the Suggested Rules including any option in parenthesis or brackets. If a section modified below is followed by ..., this means that the remaining or unmodified section or sections remains as stated in the Suggested Rules. These modifications are adopted by the Jackson County Board of Commissioners on December 5, 2022.

Rule 1. Applicability of Rules: These rules apply to all meetings of the Board of Commissioners of *Jackson* County...

Rule 3. Remote Participation in Board Meetings:

- (a) A member who is not physically present for a board meeting and provides at least 24-hour notice to the County Manager, may take part in debate in the meeting by electronic means but ~~may neither~~ **will not** be counted toward a quorum ~~nor may be the deciding~~, **will not** vote on any matter before the board **and will not be included in closed session**.
- (b) During a State-Level Declared Emergency, the Board will follow the provisions for Remote Meetings set forth in G.S. 166A-19.24.
- (c) Commissioners are encouraged to attend meetings in person to the fullest extent practicable and should give as much notice as possible when not able to attend a meeting in person. When not able to attend a meeting in person, a Commissioner should make every effort to attend the meeting remotely by video or phone.

Rule 8. Organizational Meeting; Selection of Vice Chair

- (a) Requirement to Hold Organizational Meeting. The board shall hold an organizational meeting each December to take the actions set out in this rule.
- (b) Scheduling Organizational Meeting
 - (1) *Even-Numbered Years*. The board shall hold an organizational meeting at its regular meeting place at a time to be determined on the first Monday in December of each even-numbered year.
 - (2) *Odd-Numbered Years*. The board shall hold an organizational meeting during its first regular meeting in December.
- (c) Order of Business
 - (1) *Even-Numbered Years*
 - (A) As the first order of business at the organizational meeting, all persons elected or reelected to the board at the most recent county election must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution, unless they did so earlier in the day. They must then take the General Oath prescribed by G.S. 11-11. Each member’s constitutional oath must be filed with the **Clerk to the Board**. Although a newly elected or reelected member who has not yet been sworn and who is not present for the

organizational meeting may be sworn in later, the member must take, subscribe, and file the constitutional oath and take the G.S. 11-11 oath before he or she begins performing any of the duties of the member's office.

(B) As the second order of business, the board shall elect a vice chair from among its members using the procedure specified in Rule 39.

(C) As the third order of business, the board shall approve the bonds of the Sheriff and the Register of Deeds and induct any other newly elected county officials into office.

(2) *Odd-Numbered Years.* As the first order of business, the board will elect the vice chair.

(d) *Presiding Officer.* If the newly elected chair has not been sworn prior to the organizational meeting, the outgoing chair shall call the organizational meeting to order and preside until the newly elected chair has been sworn. If the organizational meeting takes place during an even-numbered year in which the outgoing chair has lost his or her seat on the board, the clerk to the board shall fill the role of presiding officer until the newly elected chair is sworn. Once sworn, the new chair shall preside.

Rule 9. The vice chair shall serve at the board's pleasure.

Rule 10. The board shall hold a regular meeting on the first and third Tuesday of each month, except that if a regular meeting day is on a holiday on which county offices are closed, the meeting shall be rescheduled or canceled. The meeting shall be held in the Commissioners board room and begin at 6:00pm on the first Tuesday and at 6:30pm on the third Tuesday. The board shall adopt a resolution establishing the meeting schedule each year consistent with this rule. For purposes of these rules, a work session of the board constitutes a regular meeting if it appears on the board's duly adopted schedule of regular meetings. In all other cases, a work session is a special meeting to which the provisions of Rule 11 apply.

Rule 15. Agenda

(a) Draft Agenda

(1) Preparation. The Clerk to the board shall prepare a draft agenda in advance of each meeting of the board. For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the Clerk to the board or the County Manager at least four working days before the date of the meeting. The clerk must place an item on the draft agenda in response to a board member's timely request....

Rule 17. Agenda Items from Members of the Public

If a member of the public wishes to request that the board include an item on its regular meeting agenda, he or she must submit the request to the County Manager at least five working days before the date of the meeting. The board is not obligated to place an item on the agenda merely because such a request has been received.

Rule 18. Order of Business. Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- Call to Order
- Approval of Agenda
- Approval of Minutes
- Administrative Reports
- Informal Comments by Public
- Consent Agenda
- New Business
- Old Business
- Legislation
- Appointments
- Press Conference
- Closed Session

Rule 19. The Chair ...

- (b) Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted....

Rule 21. When the Presiding Officer is Active in Debate. If the chair becomes active in debate on a particular proposal, he or she may have the vice chair preside during the board's consideration of the matter. If the vice chair is absent or is also actively debating the matter, the chair may designate another member to preside until the matter is concluded. Similarly, if while presiding, the vice chair or temporary chair wishes to join in debating a topic, he or she may designate another member to preside for the duration of the board's consideration of the matter.

Rule 23. Second Required. A second is required on all motions.

Rule 29. Duty to Vote

- (a) Duty to Vote. Every board member must vote except when excused from voting as provided in this rule...
- (d) Consequence of Non-Excused Failure to Vote. If a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided...

Rule 33. Introduction of Ordinances. For purposes of these rules, the "date of introduction" for a proposed ordinance is the first date on which the proposed ordinance appears on the approved agenda for a board meeting.

Rule 38. Appointments...

- (b) Nomination and Voting Procedure for Appointed Bodies. The board shall use the following procedure to appoint individuals to bodies over which it has the power to appoint. The chair shall open the floor for nominations, whereupon board members may put forward and debate nominees. When debate ends, the chair shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.