

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: February 6, 2006

SUBJECT: Requesting Revision of the Bi-Laws for the
Henderson County Juvenile Crime Prevention Council

ATTACHMENTS: Yes

- Minutes of the JCPC Bi-Laws Committee
- Outline of Requested Changes to the Existing JCPC Bi-Laws
- Copy of the JCPC Bi-Laws with changes

SUMMARY OF REQUEST:

The Henderson County Juvenile Crime Prevention Council (JCPC) members have reviewed the current Bi-Laws. The Council would like to request that the current Bi-Laws be modified to better meet the needs of the Juvenile Crime Prevention Council.

COUNTY MANAGER'S RECOMMENDATION/ACTION REQUIRED:

Recommend approval of requested changes to JCPC Bi-Laws.

On Page three under Membership in section of C.

Currently reads;

Membership on the Council shall include the following, (if possible):

chief of police

Changed to read;

chief of police, or designee

On Page four under Officers in section A.

Currently reads;

The council shall elect its own officers, by a majority vote of the voting members. Officers shall serve a term of one year, to correspond to the calendar year of January 1 – December 31.

Changed to read;

The council shall elect its own officers, by a majority vote of the voting members. Officers shall serve a term of one year, to correspond to the fiscal year of July 1 – June 30.

On Page four under Officers in section B.

Currently reads;

The Chairman shall appoint a Nominating Committee, consisting of 3 members, who shall have the responsibility of meeting and nominating officers at the October meeting of the council.

Changed to read;

The Chairman shall appoint a Nominating Committee, consisting of 3 members, who shall have the responsibility of meeting and nominating officers at the April meeting of the council.

Currently reads;

Election of the officers shall take place at the November meeting.

Changed to read;

Election of the officers shall take place at the May meeting.

On Page four under Officers in section C.

Currently reads;

The new officers shall take office at the beginning of the calendar year, January 1.

Changed to read;

The new officers shall take office at the beginning of the fiscal year, July 1.

On Page five under Meetings in section C.

Currently reads;

Special meetings may be called by the Chairman or upon written request from a majority of the members of the Council. Written notice of such meetings shall be mailed to each of the Council member's home address at least 48 hours in advance of the meeting. In addition, written notice of such special called meetings shall be posted on the Board of Commissioners Bulletin Board, mailed or delivered to the media, and sent to those who have requested such notice.

Changed to read;

Special meetings may be called by the Chairman or upon written request from a majority of the members of the Council. Written notice of such meetings shall be mailed or delivered to each of the Council member's home address or place of business at least 48 hours in advance of the meeting. In addition, written notice of such special called meetings shall be posted on the Board of Commissioners Bulletin Board, mailed or delivered to the media, and sent to those who have requested such notice.

On Page five under Committees in section A.

Currently reads;

Standing committees shall be appointed by the Chairman at the regular January meeting of each year. Vacancies on the committees may be filled by the Chairman at the any regular meeting. The Chairman appoints the Chairman of each Committee. The makeup of the committees may be both J. C. P. C. members and public volunteers.

Changed to read;

Standing committees shall be appointed by the Chairman at the regular July meeting of each year. Vacancies on the committees may be filled by the Chairman at the any regular meeting. The Chairman appoints the Chairman of each Committee. The makeup of the committees may be both J. C. P. C. members and public volunteers.

On Page six under Committees in section D under numbers 3 and 6.

Currently shows that we have a separate Ways and Means Committee and a Planning Committee.

Changed to combined the two committees into one under number 3.

On Page seven under Attendance.

Currently reads;

The absence of any member from three consecutive regular meetings shall be deemed nonfeasance, except when such absence is made necessary by sickness or other similar causes ruled by the Chairman as emergency in nature. Such unexcused absence shall subject the member to possible removal from the Council by the Board of Commissioners.

Changed to read;

The absence of any member from three regular meetings within the fiscal year shall be deemed nonfeasance, except when such absence is made necessary by sickness or other similar causes ruled by the Chairman as emergency in nature. Such unexcused absence shall subject the member to possible removal from the Council by the Board of Commissioners.

D. Standing Committees of the "Council" are as follows:

1. Nominations Committee -3 members

Duties: The committee shall meet annually as outlined in the By-Laws and nominate a slate of officers in the October meeting for voting on by the Council at the November meeting.

The change for the Nomination Committee should be:

Duties: The committee shall meet annually as outlined in the By-Laws and nominate a slate of officers in the April meeting for voting on by the Council at the May meeting.

The changes reflect the same timeline for current by-laws. Hope that this helps.

BY-LAWS
GOVERNING THE HENDERSON COUNTY
JUVENILE CRIME PREVENTION COUNCIL

Article I

Name

The name of this committee shall be called the Henderson County Juvenile Crime Prevention Council, hereinafter referred to as the "Council". The Council was formed by the Henderson County Board of Commissioners on February 17, 1999 pursuant to the authority of Part 6 of Article 3C of Chapter 147 of North Carolina General Statutes, (N.C.G.S.).

Article II

Legislative Goals

The Council serves as the local juvenile justice planning body for Henderson County. The Council shall serve in an advisory capacity only and shall provide recommendations to the Board of Commissioners. The Council is established and serves as a prerequisite for Henderson County to receive funds for juvenile delinquency prevention programs from the State of North Carolina. The legislative intent for the Council is to be involved with the following issues:

- A. To prevent juveniles who are at risk, from becoming delinquent.
- B. Develop community-based alternatives to training schools and to provide community-based delinquency and substance abuse prevention strategies and programs.
- C. Provide non-institutional dispositional alternatives that will protect the community and the juveniles.
- D. Plan and organize programs and services at the community level and develop them in partnership with the State Office of Juvenile Justice.

Article III

Powers and Duties

- A. The Council shall annually review the needs of juveniles in the County who are at risk of delinquency or who have been adjudicated, undisciplined or delinquent.
- B. The Council shall annually review the resources available to address the needs of juveniles who are at risk of delinquency or who have been adjudicated, undisciplined or delinquent.
- C. The Council shall develop and advertise a request for proposal (RFP) process and submit a written plan of action for the expenditure of juvenile sanction and prevention funds. This plan shall be submitted to the Henderson County Board of Commissioners for approval. Upon approval by the Board, the plan shall be submitted to the Office of Juvenile Justice for final approval.
- D. The Council shall annually develop and recommend appropriate intermediate disposition options for juveniles and shall prioritize funding for dispositions of intermediate and community-level sanctions for court-adjudicated juveniles pursuant to minimum standards adopted by the Office of Juvenile Justice.
- E. The Council shall on a regular basis, assess the needs of juveniles in the community, evaluate the adequacy of resources available to meet those needs and develop or propose ways to address unmet needs.
- F. The Council shall annually evaluate the performance of juvenile services and programs in the community, including each funded program. A positive evaluation will be the basis for continued funding.
- G. The Council shall increase public awareness of the causes of delinquency and of strategies to reduce the problem.
- H. The Council shall develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment techniques and survey instruments.
- I. The Council shall seek funds for services for treatment, counseling or rehabilitation for juveniles and their families, including court ordered parenting classes.
- J. The Council shall plan for the establishment of a permanent funding source for delinquency prevention services.
- K. The Council may examine the benefits of joint program development between counties within the same judicial district.

Article IV

Membership

- A. Planning efforts will include appropriate representation from local government, local public and private agencies which serve juveniles and their families, local business leaders, citizens with an interest in youth problems, youth representatives and other appropriate individuals from the community.
- B. The Council shall consist of a maximum of 25 voting members and in addition may include a non-voting, ex-officio member who is also the Henderson County Youth Programs Director. All members shall serve two (2) year terms. Members shall be appointed by the Henderson County Board of Commissioners and may be re-appointed upon expiration of terms. Terms shall expire the last day of December.
- C. Membership on the Council shall include the following, (if possible):
- | | |
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| local school superintendent or designee | county commissioner |
| chief of police, or designee | person under 21 |
| local sheriff or designee | juvenile defense attorney |
| district attorney, or designee | chief district court judge |
| chief court counselor, or designee | (or designee judge) |
| director of mental health, or designee | member of business |
| director of social services, or designee | health director, or designee |
| county manager or designee | United Way or nonprofit representative |
| substance abuse professional | parks and recreation representative |
| member of faith community | up to 7 members of the public may be
appointed by the Commissioners |
- D. Council membership shall be representative of the racial and socioeconomic diversity of the County.
- E. The Board of Commissioners may establish a multi-county Council with two or more other counties, if they deem this as necessary.
- F. Appointments to fill vacancies on the Council shall be made for the remainder of the former member's term.
- G. Members shall be removed from the Council by the Board of Commissioners for misfeasance, malfeasance or nonfeasance. Removal of a Council member shall create a vacancy which shall be filled by the Board of Commissioners.

Article V

Officers

- A. The council shall elect its own officers, by a majority vote of the voting members. Officers shall serve a term of one year, to correspond to the calendar year of July 1 – June 30.
- B. The election of officers, Chairman and Vice-Chairman, shall take place by the following procedure:
 - 1. The chairman shall appoint a Nominating Committee, consisting of 3 members, who shall have the responsibility of meeting and nominating officers at the April meeting of the Council.
 - 2. Election of officers shall take place at the May meeting.
- C. The new officers shall take office at the beginning of the fiscal year, July 1.
- D. It shall be the duty of the Chairman to preside at all meetings.
- E. The Vice-Chairman shall perform duties of the Chairman in the absence of the Chairman.
- F. In the absence of the Chairman and Vice-Chairman from a meeting, the Council shall select a member to serve as Acting Chairman for that meeting by a majority vote of the members.
- G. The Director of the Henderson County Office of Youth Programs shall serve as the Clerk to the Council. It shall be the duty of the Clerk to notify members of all meetings, to keep full and accurate minutes of all meetings, and to have a copy of the agenda and minutes of each meeting sent to each member and the Clerk of the Board for the Henderson County Commissioners. The meeting minutes shall be signed by the Clerk of the Council and Chairman
- H. The Youth Programs Director shall supervise the operation and administration of the Office of Youth Programs and act as the staff liaison to the Council. The Director reports to the County Manager. The Council shall have no supervision authority over the Office of Youth Programs or any personnel in the department.

Article VI

Meetings

- A. Regular meetings of the Council shall be held at 8:30 A.M. on the third Thursday of each month and shall be held in the Board of Commissioners Office Building, 100 North King Street, Hendersonville, North Carolina or at some other designated place. A list of the monthly meeting dates each year shall be sent to the Clerk of the Henderson County Board of Commissioners at the beginning of each year. Meetings may be held every other month instead of every month, according to N.C.G.S. The Chairman may decide if there is a lack of business to conduct by the Council and therefore, request a meeting to be skipped in that particular month.
- B. The order of business at regular meetings shall be as follows:
 - 1. Call to order
 - 2. Approval of Minutes
 - 3. Adjustment of Agenda
 - 4. Public Input
 - 5. New Business
 - 6. Member and Committee Reports
 - 7. Old Business
 - 8. Miscellaneous
 - 9. Adjournment
- C. Special meetings may be called by the Chairman, or upon written request from a majority of the Council. Written notice of such meetings shall be mailed or delivered to each Council member's home address or place of business at least 48 hours in advance of the meeting. In addition, written notice of such special called meetings shall be posted on the Board of Commissioners Bulletin Board, mailed or delivered to the media, and sent to those who have requested such notice.
- D. The meeting of the Council and all standing and special committees shall be conducted in accordance with the North Carolina Open Meetings Law.

Article VII

Committees

- A. Standing committees shall be appointed by the Chairman at the regular July meeting of each year. Vacancies on the committees may be filled by the Chairman at any regular meeting. The Chairman appoints the Chairman of each Committee. The makeup of the committees may be both J.C.P.C. members and public volunteers.
- B. Committee meetings may be called at the request of the Chairman.
- C. All Committee meeting shall be properly noticed in the media and be open to the public.
- D. Standing Committees of the “Council” are as follows:
 - 1. Nominations Committee – 3 members
Duties: The committee shall meet annually as outlined in the By-Laws and nominate a slate of officers in the April meeting for voting on by the Council at the May meeting.
 - 2. By-Laws Committee – 2 members
Duties: The committee shall meet annually to review the By-Laws and suggest any changes, additions or amendments to the Council.
 - 3. Planning Committee – 16 members
Duties: The committee shall meet and discuss alternative funding sources to meet the needs of juveniles in the County for services and programs. The committee shall formulate a plan to address a permanent funding source which will be submitted to the Council for implementation and final approval by the Board of Commissioners. The makeup of the committee shall remain flexible and consist of a mix of both Council members and volunteers from the community. The purpose of the committee shall be as follows:
 - a.) Collect existing data and create new data.
 - b.) Create new data by conducting surveys.
 - c.) Compile and analyze data.
 - d.) Review the programs and services available in the community for juveniles and determine the needs that should be met.
 - e.) Provide recommendations to the Council on needed programs, services, resources and any coordination necessary for the services currently available for juveniles in the community.
 - f.) Provide input and assist with the preparation of the annual request for proposals (R.F.P.).
 - g.) Review proposals for funding and make recommendations to the Council.
 - h.) Share information with juvenile service agencies and organizations in a cooperative manner in order to improve services.

4. Evaluation and Review Committee – minimum of 10 members
Duties: The committee shall annually evaluate and review the performance of existing Department of Juvenile Justice grant-funded programs in the County and make recommendations to the Council. This shall be done in teams of two Council members per agency to be reviewed.
 5. Public Relations Committee – 5 members
Duties: The committee shall devise ways to increase public awareness of the causes of delinquency and ways to reduce the problem.
 6. Assessment and Program Development Committee – membership varies annually.
- E. Special committees and advisory sub-committees may be appointed by the Chairman for such purposes as may be deemed necessary.
- F. The Chairman and Youth Programs Director shall be ex-officio members of all committees and sub-committees and therefore shall be notified of all committee meetings.

Article VIII

Procedures

- A. A majority of the members shall constitute a quorum. For a motion to pass, approval must be given by a simple majority of the members present.
- B. Roberts Rules of Order – revised edition, shall constitute the parliamentary authority for the procedures at all meetings.

Article IX

Tie Votes

Tie votes at meetings shall be broken by the vote of whomever is acting as Chairman for the meeting at which the tie vote is cast.

Article X

Attendance

The absence of any member from three regular meetings within the fiscal year, shall be deemed nonfeasance, except when such absence is made necessary by sickness or other similar causes ruled by the Chairman as emergency in nature. Such unexcused absence shall subject the member to possible removal from the Council by the Board of Commissioners. The seat of such member, in which event the vacancy thus created shall be filled by the Henderson County Board of Commissioners, after receipt of written notification of such vacancy from the Council Chairman.

Article XI

Conflict of Interest

Any member on the Council who has a financial or business interest concerning issues on the agenda for discussion or voting, shall declare a conflict of interest and therefore shall refrain from discussing and voting on the matter. The Council shall excuse such member from voting.

Article XII

Amendments

All amendments of these Bi-Laws shall be proposed in writing in the Council at the regular meeting and are acted upon at the next regular meeting. After approved by the Council, the changes shall be submitted to the Henderson County Board of Commissioners for final approval.

Approved this _____ day of _____, 2006

William Moyer, Chairman
Henderson County Board of Commissioners

Attest: _____
Elizabeth W. Corn
Clerk to the Board