

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

Meeting Date: September 15, 2011

Subject: Form of Planning Board Minutes – Continued Discussion

Staff Contact: Anthony W. Starr, AICP, Planning Director

Attachments: 1. Recently approved amendment to County Code

SUMMARY OF REQUEST:

After the Board's discussion from the August 18th meeting, staff obtained clarifications regarding option 1 below. As you may recall, the Board of Commissioners recently authorized county boards and committees to use electronic recordings in lieu of written minutes as a measure to limit the workload for staff. With recent staff reductions in the Planning Department, staff requests that the Planning Board consider one of two options:

1. Eliminate written minutes for the Planning Board and keep electronic recordings permanently. The electronic recordings would become the “official minutes” of the Planning Board with this option. A short written and unofficial meeting summary could be created for convenience of the public. Staff suggests a roll call for Planning Board members at the beginning of the meeting to capture the attendance record on the electronic recording. Attendance, motions and votes would also be reflected within the meeting summary. Any person could request a copy of the electronic recording and prepare their transcriptions of the meeting if desired (rare, but usually associated with a court case). **Planning Board members do not need to identify themselves when speaking and roll call votes are not necessary. The chair should just state the result of any votes (e.g. 6-3, 9-0, etc.).**
2. Use substantially abbreviated minutes for Planning Board meetings. With this option staff would create minutes that contain the key information about development cases (and other agenda items) and reflect motions and votes of the Planning Board. Staff can use the staff report for associated agenda items to summarize the case in the minutes. Other details, such as votes and attendance in the minutes would remain the same as current practices.

PLANNING BOARD ACTION REQUESTED:

Planning Staff requests the Board to discuss its preference for keeping minutes and vote on one of the described options.

Suggested Motion:

To approve option 1: I move that the Planning Board officially adopt the electronic recordings of all meetings as the official minutes of the Planning Board.

To approve option 2: I move that the Planning Board request staff to prepare abbreviated minutes to reduce staff workload as described.

§6-21 through 6-24 are reserved for future use

§6-25 Record of Proceedings

- A. Electronic recordings. Henderson County will keep minutes of all meetings, and in cases in which a record on appeal could be required by a Court of record, a transcript, or an electronic recording in such a way that will be adequate to record fully the proceedings of each meeting, hearing or other proceeding.
 1. Public record. Any electronic recordings are available to the public in any and all manners in which the County is capable of providing them, at a cost set by the County's fee schedule, as amended from time to time.
 2. Electronic record retention. Records shall be kept in accordance with North Carolina Public Records law and the records retention schedule established by the North Carolina Department of Cultural Resources.
 3. Meeting Summary. In instances where electronic recordings are utilized as the official minutes, boards and committees may elect to create meeting summaries including the attendance, matters discussed with any actions taken, identification of documents presented, and any votes taken. When votes are not unanimous, the meeting summary should indicate the votes of each member of the board or committee.
- B. Record on Appeal. Henderson County shall make the electronic recordings available to any appellant in order to prepare a verbatim transcript of the proceeding being appealed.
 1. The appellant must make provision for the creation of a verbatim transcript from the electronic recording.
 2. The appellant's transcriptionist may have 45 days to prepare the transcript from the electronic recording and provide copies to the Clerk of Court and the respective parties. In certain circumstances, the time for preparation may be extended upon agreement of the parties and with the permission of the Court.
 3. The appellant shall bear the initial cost of transcription, subject to being taxed by the Court as a cost of any appeal.
 4. No part of this Ordinance is intended to conflict with North Carolina General Statutes or North Carolina Rules of Appellate Procedure. In any instance of conflict, the General Statutes and Rules of Appellate Procedure shall be followed.