

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: April 17, 2024

SUBJECT: Farmland Preservation Taskforce

PRESENTER: Liz Hanson, Planner I

ATTACHMENTS: Proposed Taskforce Charter and Bylaws

SUMMARY OF REQUEST:

As discussed at the March 20, 2024, Board of Commissioners meeting, Staff were directed to contact potential Farmland Preservation Taskforce members to serve as representatives from various County organizations and entities.

Proposed Taskforce Members:

- HC Commissions
- HC Planning Board
- HC Soil & Water Conservation District
- Agribusiness Henderson County (AgHC)
- NC Cooperative Extension
- NC Farm Bureau Federation
- Hendersonville Board of Realtors
- Henderson County Farmers/Producers

BOARD ACTION REQUESTED:

Approval of charter and bylaws.

Suggested Motion:

I move that the Board approve the proposed charter and bylaws.

CHARTER, BYLAWS, AND RULES OF PROCEDURE FOR THE HENDERSON COUNTY FARMLAND PRESERVATION TASKFORCE

Purpose

The purpose of the Farmland Preservation Taskforce is to preserve and protect agricultural land throughout Henderson County while supporting local producers and the rural character of the County.

Charter and Membership

The Henderson County Board of Commissioners hereby create the Henderson County Farmland Preservation Taskforce. The Taskforce shall assist the Board of Commissioners by providing input on the preservation of farmland in Henderson County.

The Farmland Preservation Taskforce shall have the following members, all appointed by the Board of Commissioners:

- 1) Henderson County Board of Commissioners Liaison
- 2) Henderson County Board of Commissioners Liaison
- 3) Appointee member of Henderson County Planning Board
- 4) Appointee nominated by Henderson County Soil and Water Conservation District
- 5) Appointee nominated by Agribusiness Henderson County
- 6) Appointee nominated by North Carolina Cooperative Extension
- 7) Appointee nominated by North Carolina Farm Bureau Federation
- 8) Appointee nominated by Hendersonville Board of Realtors
- 9) Appointee at large
- 10) Appointee at large
- 11) Appointee at large
- 12) Appointee at large
- 13) Appointee at large

The Taskforce shall consist of a total of 13 members. All even-numbered Taskforce members shall serve an initial term which shall end one year from their first meeting. All odd-numbered Taskforce members shall serve an initial term of two years from their first meeting date. After the initial terms, appointees to all member slots shall serve two-year terms. Board members may serve no more than three terms, not including the initial terms set out above.

Bylaws and Rules

I. MEETINGS

- a. **Open-Meetings Law.** It is the public policy of North Carolina and Henderson County that the hearings, deliberations, and actions of this Taskforce be conducted openly. Except as allowed by NCGS 143-318.10, each meeting of the Taskforce shall be open to the public and any person is entitled to attend such a meeting.
- b. **Regular Meetings.** The Taskforce shall hold meetings according to a schedule which shall be determined at the last meeting of the calendar year. The schedule shall be posted on the County's website. Meetings shall be held at a regular time and day as selected by the Taskforce and in compliance with other provisions regulating notice of meetings. Meetings shall be held in the King Street Meeting Room located at 100 North King Street in Hendersonville, North Carolina. The schedule of the regular meetings of the Taskforce shall be kept on file with the Secretary of the Taskforce and shall be filed with the Clerk to the Henderson County Board of Commissioners. The Taskforce shall have the authority to change the schedule of regular meetings, and/or to change the date of a particular regularly scheduled meeting without the necessity of approval of the Board of Commissioners. If the Taskforce changes the schedule of regular meetings, the Secretary shall forward a copy of the new schedule to the Clerk to the Board of Commissioners at least seven (7) days prior to the first meeting held pursuant to the new schedule. If a particular regularly scheduled meeting is changed, the secretary shall comply with the notice provisions of paragraph C below (Special Meetings).
- c. **Special Meetings.** The Chair of the Taskforce or the majority of the members of the Taskforce may at any time call a special meeting of the Taskforce by signing a notice setting the time and place of the meeting and the subjects to be considered. Such notice must be posted on the bulletin board located in the front lobby of the Henderson County Courthouse, posted in a conspicuous place at 100 N King Street, mailed or delivered to each newspaper, wire service, radio station and television station which has filed a written request for notice with the Secretary, mailed or delivered to any entity or person that has requested to be on the Taskforce' sunshine list as prescribed by law, and delivered to all members of the Taskforce all to occur at least 48 hours before the meeting. Only the business that is specified in the notice of the meeting may be transacted during a special meeting unless all members (not simply a quorum) are present and consent to the addition of other matters, or those members absent have filed a waiver with the Secretary to the Taskforce.
- d. **Meeting Conduct.** Meetings will be conducted according to Small Government Rules of Procedure.

II. OFFICERS AND MEMBERS

- a. **Presiding Officer.** The presiding officer of each meeting of the Taskforce shall be the Chair of the Taskforce. The Chair of the Taskforce shall be designated by the Board of Commissioners. In situations where the Chair is unavailable or unable to participate in the meeting or any particular matter before the Taskforce, the Vice Chair shall preside. In the event that neither the Chair nor the Vice-Chair is available, the members of the Taskforce, by affirmative vote of the majority may appoint an acting Chair who shall have all powers of the Chair while acting as presiding officer.
- b. **Secretary.** The staff person assigned to the Taskforce shall serve as the Secretary of the Taskforce and shall perform the following: (1) ensure that all meetings of the Taskforce are properly noticed as outlined above; (2) maintain the sunshine list which is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Taskforce; (3) take and record all actions of the Taskforce and draft minutes of the meetings accordingly; (4) forward a copy of the minutes as they are approved to the Clerk to the Board of Commissioners; (5) submit to the Clerk to the Henderson County Board of Commissioners a monthly attendance report for its members and notifying said Clerk of any resignations of any of its members, or any other change in membership of the Taskforce.
- c. **Attendance.** All members of the Taskforce are expected to attend the regular and/or special meetings of the Taskforce. Any member not able to attend must notify the Secretary in advance of the meeting. Any member who fails to regularly attend the meetings of the Taskforce may be subject to consideration for removal from the Taskforce by the Henderson County Board of Commissioners.
- d. **Duties.** Duties of the Committee will be as assigned by the Henderson County Board of Commissioners.

III. VOTING

- a. **Duty to Vote.** It is the duty of each member, including the Chair, to vote unless otherwise excused. The Taskforce may excuse members from voting on any matter involving their own financial interest or official conduct or when a member has indicated an inability to be impartial in any quasi-judicial matter before the Taskforce.
- b. **Abstention.** Should a member fail to vote on any matter before the Taskforce, without having been excused from such vote, such abstention will count as an affirmative vote.

IV. ACTION BY THE COMMITTEE

- a. **Quorum.** A majority of the Taskforce members then serving shall constitute a quorum. No action of the Taskforce may be taken where less than a quorum is present. Once a quorum is established, it will not be defeated if members leave.
- b. **Motions.** Action of the Taskforce may be taken upon a motion by any member, including the Chair. A motion shall be adopted or approved by the affirmative

vote of a majority of the members present and not excused after full discussion of the motion by the members.

- c. Minutes.** Minutes shall be kept of all meeting of the Taskforce. The secretary of the Taskforce shall present such minutes to the Taskforce for approval. Minutes of the meetings of the Taskforce shall be public records. The secretary shall be responsible for sending a copy of all approved minutes to the Clerk to the Board of Commissioners.
 - d. Staff Support.** County staff shall be assigned to the Taskforce, acting as the liaison between the Taskforce, County Departments, and the Board of Commissioners and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.
- V. **AMENDMENTS.** The Taskforce may amend these by-laws by action of the Taskforce provided, however, those amendments shall not be effective until they are approved by the Henderson County Board of Commissioners.