

# **Planning Board Rules of Procedure**

## **Section 1 - Officers**

The officers of the Planning Board shall consist of a Chairman and a Vice-Chairman.

- (A) The Chairman shall preside at all meetings and hearings of the Planning Board and shall have the duties normally conferred by parliamentary usage of such officers, which include the appointment of committees and preparation of agenda for regular and special meetings. The Chairman may delegate preparation of the agenda to the Planning Department. A member must be recognized by the Chairman in order to address the board. The Chairman shall have the following powers:
- a. To rule motions in or out of order, including the right to rule out of order, any motion patently offered for obstructive or dilatory purposes;
  - b. To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
  - c. To entertain and answer questions of parliamentary law or procedure;
  - d. To call a brief recess at any time;
  - e. To adjourn in an emergency.
- (B) The Chairman shall be a citizen member of the board. He shall have the privilege of discussing all matters before the Board and of voting thereon.
- (C) The Vice-Chairman shall act for the Chairman in his absence. He shall be a citizen member of the Board.
- (D) A secretary shall be appointed by the Chairman, either from within or from outside the Planning Board membership, to hold office during the term of the chair and/or until a successor secretary shall have been appointed. The secretary shall be eligible for re-appointment. The secretary, subject to the direction of the chair and the Board, shall keep all records, shall conduct all correspondence of the Board, and shall generally supervise the clerical work of the Board. The secretary shall keep the minutes of every meeting of the Board, which minutes shall be a public record. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of Board members upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. If the secretary is chosen from outside the membership of the Board, he or she shall not be eligible to vote upon any matter. The secretary may be employed as a staff member of the Planning Department.

## **Section 2 - Election of Officers**

- (A) Nomination of officers shall be made by Board members at the annual organizational meeting which shall be held on the last Thursday of September in each year, and the

election shall follow immediately thereafter as the first item of business following approval of the minutes.

- (B) A candidate receiving a majority vote of the quorum present of the Planning Board shall be declared elected and shall serve for one (1) year or until his successor shall take office, whichever is sooner.
- (C) Vacancies in offices of the Board shall be filled immediately by regular election procedure.

### **Section 3 - Meetings**

- (A) Regular meetings will be held on the third Thursday of each month at the Henderson County Board of Commissioners meeting room, or such other place as designated by the Chairman.
- (B) A majority of the voting membership of the Board shall constitute a quorum. A majority vote shall carry all actions, except where otherwise provided herein. A record of the votes by each member shall be inserted in the minutes upon the request of any member of the Board. No member shall be excused from voting except upon matters involving the consideration of his own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present in the meeting room, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.
- (C) Special meetings may be called by the Chairman. The Chairman shall also call a special meeting when requested to do so in writing by a majority of the members of the Board, such instrument containing the subjects to be considered. Written notice of a special meeting shall be given each member of the Board and the media at least 48 hours prior to the time of the meeting. A copy of the notice shall be posted on the front door of the Henderson County building. The notice shall specify the time, date, location and purpose of the meeting and no other business may be transacted at such meeting without the unanimous consent of the Board. Any Board member may waive the requirement of written notice required by this section.
- (D) All official meetings shall be open to the general public and shall comply with the NC Open Meetings Law.
- (E) Faithful attendance at meetings is considered desirable for maintenance of membership on the Board. Failure to attend three (3) consecutive regular meetings without satisfactory reasons will result in a recommendation by the Chairman of the Planning Board to the Henderson County Board of Commissioners for replacement of such member.

#### **Section 4 - Order of Business**

(A) The order of business at regular meetings shall be, where pertinent:

- a. Approval of the minutes of previous meeting
- b. Discussion/Adjustment of Agenda
- c. Project Status Reports and Committee Reports
- d. Old Business
- e. New Business
- f. Public Input on unscheduled topics
- g. Adjournment

(B) The order of business at special meetings shall be:

- a. Business as announced in notice of meeting
- b. Adjournment

#### **Section 5 - Public Input**

(A) Prior to the beginning of each regular meeting, the Secretary shall place in a conspicuous location, a sign-up sheet, which shall state the name of the speaker, and the subject, which the speaker will address. The secretary shall bring the sheet to the Chairman at the time the meeting is called to order.

(B) At the beginning of each agenda item under "old business" and "new business", the Chairman may, at that time, recognize those who have signed up to speak to that specific item. The Chairman shall first recognize those who are a scheduled party to that agenda item (i.e. applicant, agent, public official, etc.) and he shall state the number of citizens who have signed up to speak on that particular item and may give the scheduled party the option of speaking first or last.

(C) The Chairman shall, in the interest of time, have the right to limit any unscheduled speaker who has signed up under "public input," to less than five (5) minutes. An unscheduled speaker may not dedicate his allocated time to another speaker without unanimous consent of the Planning Board.

(D) Any citizen arriving after the meeting begins may sign up under unscheduled "public input" at the first recess of the Planning Board by contacting the secretary.

#### **Section 6 - Scheduled Agenda Items**

To have an item placed on the Planning Board agenda, as new business it must be one of the following:

- (A) A result of an application under provisions of the Land Development Ordinance.
- (B) A result of an application under provisions of the Zoning Ordinance.

- (C) A planning related issue of local significance, which has been deemed appropriate for discussion and consideration by either the Chairman, or a majority of the Planning Board. Requests for such placement on the agenda must be made in writing to either the Chairman or to the Planning Department Director no less than 15 days prior to the date of the scheduled meeting date at which the item is to be heard.
- (D) An administrative matter affecting the Planning Board.

### **Section 7 - Hearings**

- (A) In addition to hearings required by law, the Board may, at its discretion, hold public hearings when it determines that such hearings will be in the public interest.
- (B) Notice of the time and place of such hearings shall be published in a newspaper of general circulation in the county once a week for two (2) successive calendar weeks. The notice shall be published the first time not less than fifteen (15) nor more than twenty-five (25) days before the date fixed for the hearing.
- (C) The matter before the Board shall be presented in summary by the Chairman or a designated member of the Planning Department Staff and the parties in interest shall have privileges of the floor.
- (D) A record shall be kept of those speaking before the Board.

### **Section 8 - Amendments**

These Rules of Procedure may only be amended by a majority vote of the entire membership of the Henderson County Planning Board.

### **Section 9 - Recommendations to the Board of Commissioners**

Each time a recommendation is made by the Planning Board to the Board of Commissioners, pursuant to proper procedures, a minority report may be submitted to the Board of Commissioners with that recommendation.

### **Section 10 - Reference to Robert's Rules of Order**

To the extent not provided for in these Rules of Procedure and to the extent that the reference does not conflict with the spirit of these Rules of Procedure, the Planning Board shall refer to Robert's Rules of Order for unresolved procedural questions.

### **Section 11. Adoption**

These Rules of Procedure were unanimously amended by the Henderson County Planning Board on October 16, 2001 and recorded in the minutes of that meeting.