

RULES OF PROCEDURES
PLANNING BOARD
HILLSBOROUGH, NORTH CAROLINA

1. Regular Meetings

The Board shall hold regular meetings on the third Thursday of each month. The meeting shall be held at the Town Hall Complex and shall begin at 7:00 p.m. The regular meetings in January, April, July, and October shall serve as joint public hearings with the Town Board of Commissioners to hear any items required to have a public hearing by law or development ordinance. If no such items are scheduled, or after the conclusion of the public hearing, the Planning Board may conduct regular business.

2. Special Meetings

The Chair or a majority of the members may call a special meeting at any time. If the special meeting is the continuation of a recessed meeting of the Board and the date, time and place of the special meeting was announced in open session prior to the recess, then no further notice of the special meeting need be published. Otherwise, notice of a special meeting of the Board shall be (i) posted on the official Town bulletin board(s) or on the door of the usual meeting room and (ii) mailed to each newspaper, radio station, television station or other media outlet which has filed a written request with the Board clerk or with the Town Clerk for such notices. The notice shall be posted and mailed at least 48 hours before the time of the meeting. Emergency meetings (i.e., those called for generally unexpected circumstances that require the Board's immediate consideration) may be called, and the Board shall cause actual notice of such emergency meetings to be given each local newspaper, radio station, television station or other media outlet which has filed a written request by telephone or by the same method used to notify members of the public immediately after Board members have been notified.

3. Organizational Meeting

Each March, the Board shall hold an organizational meeting. The Board shall elect a chair and a vice-chair from its members. The procedure for electing officers shall be as set out below. The procedure for electing the Chair and the vice chair shall be the same; however, the Chair shall be elected before the vice chair, and the newly elected chair shall preside over the election of the vice chair.

- A. Election Process. The election of the chair shall be the first order of business at the organizational meeting. The Board clerk shall assume the chair for the purpose of administering the election of the chair. The clerk shall open the floor to nominations for the chair by Board members. Nominees must be present at the organizational meeting in order to be eligible for nomination. The clerk shall then entertain a motion to close the floor to nominations. After the motion has been seconded, but before the Board acts on the motion, any nominee may decline a nomination. Election of the chair shall be by roll call vote. A majority of the quorum of the Board present at the organizational meeting shall be required for election of the chair. If, after two ballots,

no nominee has received the required majority vote, then the nominees receiving the two highest vote totals on the second ballot shall draw lots prepared by the clerk to determine the election of the chair. In the event that more than two nominees have an equal number of votes after the second ballot, then all nominees having such equal number of votes shall participate in the drawing of lots to determine the election of the chair. Once a chair has been elected, the newly elected chair of the Board shall assume the duties of the chair and shall proceed immediately to the election of the vice chair. The election of the vice chair shall follow the same procedure as set forth above for the election of the chair.

- B. Appointment of Board Members to Committees. At the organizational meeting, and after the election of the chair and vice chair, the Board shall consider the appointment, or re-appointment, of members to the Board of Adjustment, the Parks and Recreation Board, and such other boards and committees as may exist from time to time and to which the Town Board has directed Planning Board participation. Where possible, the Board shall seek volunteers to serve on such Boards and committees, but in the absence of volunteers the Board may appoint members by a vote of a majority of the quorum present at the organizational meeting.

- C. Resignation of Officers/Mid-term Appointments. Should the chair of the Board resign the office in mid-term then the vice chair shall assume the chair for the remainder of the term, and the Board shall hold a “special election” at the next regular Board meeting to fill the remainder of the former vice chair’s term following the same rules as for the election of the vice chair established in paragraph 3 A above. Should the vice chair resign the office in mid-term, then the Board shall hold a “special” election at the next regular board meeting following receipt of the resignation. The election shall be governed by the same rules as for the election of the vice chair at the organizational meeting established in paragraph 3 A above. Should the need arise during mid-term for the appointment of a Board member to a Town board or committee, then the procedure set out in the preceding paragraph shall be followed for the appointment of a Board member to serve on such board or committee.

4. Agenda

The secretary to the Board shall prepare the agenda for the meeting. Any individual or group wishing to address the Board shall make a request to the secretary to be placed on the agenda. However, the Board will determine at the meeting whether the individual’s or group’s request to be heard will be granted. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Board member may, by a timely request, have an item placed on the agenda.

The agenda shall include, for each item of business placed on it, as much background information on the subject as is available and feasible to reproduce. Each Board member shall receive a copy of the agenda, and it shall be available for public inspection and/or distribution when it is distributed to the council members.

The Board may, by majority vote or consensus, add an item that is not on the agenda.

5. Public Address to the Board

Those members of the public who wish to address the Board at a meeting shall sign (and print) their name on the “sign up sheet” to be made available by the Board clerk immediately prior to each Board meeting. The speaker shall indicate on the “sign up sheet” which item on the printed Board agenda he or she wishes to address. Those who sign up to speak may be speaking time to address the Board at the Board’s discretion.

6. Order of Business

Items shall be placed on the agenda according to the Order of Business. The Order of Business for each regular meeting shall be as follows:

- 1) Approval of the minutes,
- 2) Discussion/adjustment of agenda,
- 3) Public hearing,
- 4) Administrative reports,
- 5) Committee reports,
- 6) Unfinished business,
- 7) New business,
- 8) Informal discussion and public comment.

However, by general consent of the Board, items may be considered out of order.

7. Officers and duties

A) Chair. A chair shall be elected by the full membership of the Planning Board from among its members. The chair’s term of office shall be one year and/or until a successor is elected, beginning April 1. The chair shall be eligible for re-election. The chair shall preside at the Board meetings. In order to address the Board, a member shall be recognized by the chair. The chair shall have the following powers:

- 1) To rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
- 2) To determine whether a speaker has gone beyond reasonable standards of courtesy in his/her remarks and to entertain and rule on objections from other members on this ground;
- 3) To entertain and answer questions of parliamentary law or procedure;
- 4) To call a brief recess at any time;
- 5) To adjourn in an emergency.

B) Vice-Chair. A vice-chair shall be elected by the Planning Board from among its regular members in the same manner and for the same term as the chair. The vice-chair shall preside in the absence of the chair, and at such times shall have the same powers and duties as the chair.

C) Secretary. A town employee designated by the Board of Commissioners of the Town of Hillsborough shall serve as secretary. The secretary shall preside at the organizational meeting of the Board until a chair has been elected, and, subject to the direction of the chair and the Planning Board, shall keep all records, shall prepare all correspondence of the Board for the signature of the chair, shall arrange for all required public notices, shall notify Board members of

pending meetings and their agenda, shall notify parties to cases before the Board of its decision on such cases, and shall generally supervise the clerical work of the Board. The secretary shall keep in a permanent volume the minutes of every meeting of the Board. These shall show the record of all important facts pertaining to each meeting and hearing, every resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. Copies of all correspondence and other documents pertaining the Planning Board shall be maintained in chronological order by the secretary in a separate file.

8. Alternate Members (intentionally omitted)

9. Presiding Officer When the Chair is in Active Debate

The chair shall preside at the Board meetings unless he/she becomes actively engaged in debate on a particular proposal, in which case he or she may designate another Board member to preside over the debate. The chair shall resume the duty to preside as soon as action on the matter is concluded.

10. Action by the Board

The Board shall proceed by motion. Anyone, including the chair, may make a motion.

11. Second Required

A motion shall require a second.

12. One Motion at a Time

A member may make only one motion at a time

13. Substantive Motion

A substantive motion is out of order while another substantive motion is pending.

14. Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.

15. Debate

Once a motion has been made and seconded, the chair shall restate the motion and then open the floor to debate on it. The chair shall preside over the debate according to the following general principles.

- 1) The introducer (the member who makes the motion) is entitled to speak first;
- 2) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- 3) To the extent possible, the debate shall alternate between opponents and proponents of the measure.

16. Procedural Motions

In addition to substantive proposals, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.

In order of priority (if applicable), the procedural motions are as follows:

Procedural Motions

- 1) *To adjourn.* The motion may be made only when action on a pending matter concludes; it may not interrupt deliberation of a pending matter.
- 2) *To take a Recess.*
- 3) *Call to Follow the Agenda.* The motion must be made at the first reasonable opportunity or it is waived.
- 4) *To suspend the Rules.* For adoption, the motion requires a vote equal to the number required for a quorum (i.e., a majority of the Board, not just a majority of the members present, a quorum being present).
- 5) *To Divide a Complex Motion and Consider it by paragraph.*
- 6) *Call of the Previous Question.* The motion is not in order until there has been at least 20 minutes of debate, and every member has had an opportunity to speak once.
- 7) *To Postpone to a Certain Time or Day.*
- 8) *To Refer to a Committee.* Thirty days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, regardless of whether the committee has reported the matter back to the Board.
- 9) *To Amend.* An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the motion's intent. The motion may be amended and an amendment may be amended, but no further amendments may be made.
- 10) *To Reconsider.* The motion must be made by a member who voted with the prevailing side of the matter to be reconsidered. It must be made at the same meeting as the vote was taken. It cannot interrupt deliberation on a pending matter but it is in order at any time before adjournment.
- 11) *To Rescind or Repeal.*
- 12) *To Ratify.*

13) *To Prevent Reconsideration for Three Months.* The motion is in order immediately following the defeat of a substantive motion and at no other time. For adoption the motion requires a vote equal to the number required for a quorum. It is valid for three months or until a new Board member is appointed, whichever occurs first.

17. Renewal of Motion.

A motion that is defeated may be renewed at any subsequent meeting unless a motion to prevent reconsideration has been adopted.

18. Withdrawal of Motion.

A motion may be withdrawn by the introducer at any time before a vote.

19. Duty to Vote.

Every member must vote unless excused by the remaining members. A member who wishes to be excused from voting shall so inform the chair, who shall entertain a motion by the remaining members present on the request. No member shall be excused from voting except on matters involving his own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present or has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

20. Closed sessions.

The Board may hold closed sessions as provided by law. Before entering a closed session, the chair shall seek a motion to enter a closed session, which motion shall require a majority vote of the members present, a quorum being present.

21. Quorum.

A majority of actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members present shall be counted as present for purposes of determining whether a quorum is present.

22. Minutes.

Minutes shall be kept of all Board meetings.

23. Appointments.

The Board shall use the following procedures to make appointments to various subordinate Boards and offices. The chair shall open the floor to nominations. At this time the names of possible appointees shall be put forward by the members and debated. When the debate ends, the chair shall call the roll of the members, and each member shall cast his vote. The votes shall be tallied until all members have voted. The nominee(s) who receive(s) the highest number of votes shall be appointed. If more than one appointee is to be selected, each member shall have as

many votes as there are slots to be filled. A member must cast all of his votes and cast them for different nominees.

24. Amendments.

These rules may, within limits allowed by law, be amended at any time by an affirmative vote of not less than seven members of the Planning Board, provided that such amendments be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

25. Reference to Robert's Rules of Order.

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

This is to certify that the above rules were unanimously adopted by the Planning Board at its meeting duly held on the 15th day of November, 2012.

Chair, Planning Board

amended: April 7, 1992 (alternate members)
March 4, 2003 (meeting time)
March 1, 2005 (elections, appointments, general re-write)
November 15, 2012 (meeting date)