

RULES OF PROCEDURE
WATAUGA COUNTY PLANNING BOARD

I. General Rules and Membership

The Watauga County Planning Board shall be governed by the terms of N.C.G.S. 160D-301 and Chapter 2 of the Watauga County Planning and Development Ordinance. The Board shall consist of seven (7) members and shall be appointed to two (2) or four (4) year terms according to said chapter.

II. Officers and Duties

- A. Chair. A Chair shall be elected by the voting members of the Planning Board. His/her term shall be for one year, and s/he shall be eligible for re-election. The Chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The Chair shall appoint any committees found necessary to investigate any matters before the Board. 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 motion patently offered for obstruction or dilatory purposes:
 2. To entertain and answer questions of parliamentary law or procedure:
 3. To call a brief recess at any time:
 4. To adjourn in an emergency.
- B. Presiding Officer When the Chair Is In Active Debate. As a general rule, the Chair shall preside at meetings of the Board unless s/he becomes actively engaged in debate on a particular proposal, in which case s/he may designate another member to preside. The Chair shall resume the duty to preside as soon as action on the matter is concluded.
- C. Vice Chair. A Vice Chair shall be elected by the Board from among its members in the same manner and for the same term as the Chair. S/He shall serve as acting Chair in the absence of the Chair, and at such times shall have the same powers and duties as the Chair.
- D. Secretary. A Secretary shall be provided by the Department of Planning and Inspections. The Secretary, subject to the discretion 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.

III. Meetings

- A. Regular Meetings. Regular meetings of the Board shall be held on the 3rd Monday of each month in the County Administration Building at a time to be determined by action of the Planning Board.
- B. Special Meetings. Special meetings of the Board may be called at any time by the Chair. At least forty eight (48) hours' notice of the time and place of special meetings shall be given, by the Secretary or by the Chair, to each member of the Board; provided that this requirement may be waived by action of a majority of all the members.
- C. Cancellation of Meetings. Whenever there is no business for the Board, the Chair or staff may dispense with a regular meeting by giving notice to all the members not less than twenty-four (24) hours prior to the time set for the meeting.
- D. Quorum. A quorum shall consist of four (4) members of the Board.
- E. Agenda. The Planning Department staff and Inspections shall prepare the agenda for the meeting. A request to have an item of business placed on the agenda must be received at least ten (10) working days before the meeting or as specified in applicable ordinances of Watauga County.

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. A copy of all proposed ordinances shall be attached to the agenda. A copy of the agenda and attached materials shall be available for public inspection as soon as they are completed. Each Board member shall receive a copy of the agenda in advance of the meeting.

The Board may, by majority vote, add an item that is not on the agenda, however, this is discouraged unless necessary.

F. 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. Call to order (quorum required).
2. Approval of the minutes.
3. Discussion/adjustment of agenda.
4. Public hearing if held at a regular meeting.
5. Administrative reports.
6. Committee reports.
7. Unfinished business.
8. New business.
9. Informal discussion.
10. Adjournment.

G. Public Address to the Board. Any individual or group who wishes to address the Board shall make a request to the staff or Board Chair to be on the agenda. However, the Board shall determine at the meeting whether it will hear the individual or group.

IV. Board Motions/Action

Rules governing motions and actions by the Board are as follows:

- A. Action by the Board. The Board shall proceed by motion. Any member, including the Chair, may make a motion.
- B. Second Required. All motions shall require a second.
- C. One Motion at a Time. A member may make only one motion at a time.
- D. Substantive Motion. A substantive motion is out of order while another substantive motion is pending.
- E. Adoption of Majority Vote. A motion shall be adopted by a majority of the votes cast (a quorum being present) unless otherwise required by these rules, Watauga County ordinances, or the laws of North Carolina.
- F. Debate. The Chair shall state the motion and then open the floor to debate on it. The chair shall preside over the debate according to these 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.

G. 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.

1. To Adjourn.
2. To Take a Recess.
3. Call to Follow the Agenda.
4. To Suspend the Rules.
5. To Divide a Complex Motion and Consider it by Paragraph.
6. To Refer Consideration (table).
7. To Refer Consideration Until a Given Time or Date.
8. Call of the Previous Question.
9. To Refer to a Committee. Sixty 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.
10. To Amend. An amendment to a motion must be germane to the subject matter of the motion, but it may achieve the opposite effect of the motion.
There may be an amendment to the motion and an amendment to an amendment, but no further amendments.
Any amendment to a proposed ordinance shall be reduced to writing on the call of any member, including the Chairman.
11. To Revive Consideration (pull off the table).
12. To Reconsider. The motion must be made by a member who voted with the prevailing side. The motion must be made at the same meeting at which the original vote was taken if it is in regard to a subdivision plat. Motions to reconsider other types of action may be made no later than the next regularly scheduled meeting after the original vote. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before adjournment.
13. To Rescind or Repeal.
14. To Ratify.

H. Withdrawal of a Motion. A motion may be withdrawn by the introducer at any time before a vote.

- I. Duty To Vote. Every member should vote on all motions but may be excused (i.e., allowed to abstain) on matters relating to: (1) conflict of interest; or (2) lack of appropriate information (primarily due to absence during part of all of the presentation/discussion on the motion). Normally, if a member does not have appropriate information, additional discussion should be held or the motion postponed until additional information is received. The reason for not voting will be stated prior to the official announcement of the vote on the original motion before the board.

V. Public Hearings

Public hearings required by law or deemed advisable by the Board shall be organized by a special order, adopted by a majority vote, setting forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time of each speaker, etc. At the appointed time, the Chair or designee shall call the hearing to order and then preside over it. When the allotted time expires or no one who has not yet spoken wished to do so, the Chair or designee shall declare the hearing ended. A quorum of the Board shall be required at all public hearings.

VI. Consideration of Subdivision Plats

When the Board is considering subdivision plats, the general order of procedure shall be:

- A. Presentation of plat by the Planning and Inspection Department staff.
- B. Questioning of the staff and/or developer by the Board.
- C. Motion/second.
- D. Debate.
- E. Vote.

VII. Quasi-Judicial Procedures

When it is necessary for the Board to make a quasi-judicial decision, the procedures set forth in N.C.G.S. 160D-406 and Chapter 3 of the Watauga County Planning and Development Ordinance shall be used.

VIII. Attendance

Faithful attendance at the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. Failure to attend three (3) consecutive regular meetings of the Planning Board without good cause shall terminate the membership of any appointee to the Board.

IX. Amendments

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four (4) members of the Board, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

X. Effective Date

These rules shall take effect and be in force from and after their enactment on January 20, 2021 and shall supersede any previously adopted Rules of Procedure.