

Adapted from the SUGGESTED RULES OF PROCEDURE FOR COUNTY
COMMISSIONERS 3RD EDITION

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I. Agenda

- (a) The secretary to the board shall prepare the agenda for each regular, special, and emergency meeting. A request to have an item of business placed on the agenda for a regular meeting must be received at least (2) working days before the meeting. Any board member may, by a timely request, have an item placed on the agenda.
- (b) The agenda packet shall include the agenda document, supporting documentation and background information relevant to items on the agenda. A copy of the agenda packet shall be delivered to each member of the board at least 24 hours before the meeting. Documents in the agenda packet, if not previously available for member inspection, shall become so when packets have been delivered to each board member or left at his or her usual dwelling.
- (c) The board may, by majority vote, add an item that is not on the agenda.

II. Order of Business

At regular meetings, the board shall proceed to business in the following order:

1. Approval of the minutes of the previous meeting.
2. Approval of the agenda.
3. Informal member comments.
4. Administrative reports.
5. Committee reports.
6. Unfinished business.
7. Other new business.

Without objection, the chair may call items in any order most convenient for the dispatch of business.

III. Conduct of Debate

Rule 1. Powers of the Chair (President)

The chair shall preside at all meetings of the board. A member must be recognized by the chair in order to address the board. The chair shall have the following powers:

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

Rule 2. Presiding Officer When the Chair is in Active Debate

If the chair wishes to become actively engaged in debate on a particular proposal, he or she shall designate another board member to preside. The chair shall resume the duty to preside as soon as action on the matter is concluded.

Rule 3. Action by the Board

The board shall proceed by motion. Any member, including the chair, may make a motion.

Rule 4. Second Not Required

A motion shall not require a second.

Rule 5. One Motion at a Time

A member may make only one motion at a time.

Rule 6. Substantive Motion

A substantive motion is out of order while another substantive motion is pending.
(*substantive motion is a independent motion not relating to an existing motion*)

Rule 7. Adoption of Majority Vote

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

Rule 8. Debate

The chair shall state the motion and then open the floor to debate, presiding over the debate according to these general principles:

1. The member making the motion or introducing the ordinance, resolution, or order 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.
4. No member shall speak more than twice on the main question, or longer than 10 minutes for the first speech and 5 minutes for the second speech; nor shall the member speak more than twice upon an amendment or procedural motion and then not longer than 5 minutes for the first speech and 2 minutes for the second speech.

Rule 9. Procedural Motions

- (a) In addition to substantive proposals, the procedural motions listed in subsection (b) of this rule, and not others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.
- (b) In order of priority, the procedural motions are:
 1. *To Adjourn.* The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.
 2. *To Take a Recess.*
 3. *To Call to Follow the Agenda.* The motion must be made at the first reasonable opportunity or it is waived.
 4. *To Suspend the Rules.* The motion requires a vote equal to a quorum.
 5. *To Divide a Complex Motion and Consider It by Paragraph.*
 6. *To Defer Consideration.* A substantive motion whose consideration has been deferred expires on hundred days thereafter, unless a motion to revive consideration is adopted.

7. *To Call the Previous Question.* The motion is not in order until every member has had an opportunity to speak.
8. *To Postpone to a Certain Time or Day.*
9. *To Refer to Committee.* 60 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 of the motion, but it may not 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.
11. *To Revive Consideration.* The motion is in order at any time within 100 days of a vote deferring consideration of it. A substantive motion on which consideration has been deferred expires 100 days after the deferral, unless a motion to revive consideration is adopted.
12. *To Reconsider.* The motion must be made at the same meeting at which the original vote was taken, and by a member who voted with the prevailing side. The motion cannot interrupt deliberation on a pending matter but is in order at any time before adjournment.
13. *To Prevent Reconsideration of 6 Months.* The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires a vote equal to a quorum and is valid for 6 months or until the next regular election of board members, whichever occurs first.

Rule 10. Renewal of Motion

A defeated motion may not be renewed at the same meeting.

Rule 11. Withdrawal of Motion

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

Rule 12. Duty to Vote

It is the duty of each member to vote unless excused by a majority vote according to law. The board may excuse members from voting on matters involving their own financial interest or official conduct. A member who wishes

to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting the affirmative.

Rule 13. Prohibition of Secret Voting

No vote may be taken by secret ballot. If the board decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for member inspection until the minutes of that meeting have been approved, at which time they may be destroyed.

Rule 14. Action by Reference

The board shall not deliberate, vote, or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted on.

Rule 15. Introduction of Ordinances, Resolutions, and Orders

A proposed ordinance shall be deemed introduced at the first meeting at which it is on the agenda, regardless of whether it is actually considered by the board, and its introduction shall be recorded in the minutes.

Rule 16. Quorum

A majority of the board membership shall constitute a quorum. The number required for a quorum is not affected by vacancies. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, he or she shall be counted as present for the purposes of determining whether a quorum is present.

Rule 17. Minutes

Minutes shall be kept of all board meetings.

Rule 18. Appointments

The board shall use the following procedure to make appointments to fill vacancies in the board itself or in other boards and public offices over which the board has power of appointment.

The chair shall open the floor to nominations, whereupon the members shall put forward and debate names of possible appointees. When debate ends, the chair shall call the roll of the members, and each member shall vote. The votes shall not be tallied until each member has voted.

Each vote shall be decided by a majority of the valid ballots cast (a majority is determined by dividing the number of valid ballots cast by two and taking the next highest whole number). It is the duty of each member to vote for as many appointees as there are appointments to be made, but failure to do so does not invalidate that member's ballot.