

RULES OF PROCEDURE
NEW HANOVER COUNTY PLANNING BOARD

The New Hanover County Planning Board, realizing that rules and regulations are necessary for the orderly and proper discharge of its business and duties, adopts these rules of procedure to expedite the handling of matters coming before the Board.

1. General Rules

The New Hanover County Planning Board shall be governed in its organization and operation by the terms of N.C.G.S. §160D and other general and special state laws relating to planning in New Hanover County, as well as by the Unified Development Ordinance (UDO), adopted by the New Hanover County Board of County Commissioners on February 3, 2020 and all amendments thereto; the New Hanover County Committee Policy: *Policy and Procedures for Appointments to County Boards, Commissions, Committees and Authorities*, adopted by the Board of Commissioners on February 21, 2011 and all revisions thereto; and the Ordinance and Resolution establishing the New Hanover County Planning Board adopted by the Board of Commissioners on September 2, 1980. All Board members shall become thoroughly familiar with the provisions of these Rules of Procedure. Procedures not addressed by these rules, but required by needs determined by the Board may be conducted according to the rules and procedures set forth in the most recent edition of "Robert's Rules of Order". [05-06-2021]

2. Officers and Duties

- A. The Chairperson: A Chairperson shall be elected by the Planning Board from its members.
1. The term of the Chairperson shall be for one year, beginning as of the first of August, and he/she may be reelected for no more than two successive terms.
 2. The Chairperson shall decide all matters of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time.
 3. The Chairperson shall appoint any committees found necessary to investigate the matter before the Board.
 4. The Chairperson shall perform such other duties as he/she may be directed by a majority of the Board.
- B. The Vice-Chairperson: A Vice-Chairperson shall be elected by the Planning Board from among its members in the same manner and for the same terms as the Chairperson.
1. The Vice-Chairperson shall preside in the absence of the Chairperson, any unexpired term of the Chairperson, and assume all duties and responsibilities delegated by the Chairperson.
 2. The Vice-Chairperson shall perform such other duties as he/she may be directed by a majority of the Board.
 3. In the event the office of Vice-Chairperson becomes vacant, a Vice-Chairperson shall be elected to serve the unexpired term.
- C. The Secretary: The Planning Director or designee shall serve as Secretary to the Board. The Secretary, subject to the direction of the Chairperson and the Board, shall be responsible for keeping all records, shall be responsible for the conduct of all correspondence of the Board, and shall be responsible for the professional planning work of the Board. The Secretary shall be

responsible for keeping, 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, every resolution acted upon by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. The Secretary shall not be eligible to vote upon any matter. [05-06-2021]

- D. Other Officers: Should the Chairperson and Vice-Chairperson both be absent at any meeting, the Board shall elect a temporary chairperson to serve at the meeting. Should the Secretary be absent, a temporary Secretary shall be appointed from the Chair.

3. Meetings

- A. Regular Meetings: Regular meetings of the Planning Board shall be held once a month on the first Thursday of the month in the Assembly Room of the New Hanover County Historic Courthouse, 24 North Third Street, Wilmington, North Carolina, provided that upon direction of the Chairperson or a majority of the Board, any meeting may be held at any other place in the County. [05-06-2021]
- B. Special Meetings: Special meetings of the Planning Board may be called at any time by the Chairperson or by a majority of the Board. The Chairperson or Secretary shall give written notice stating the meeting time, place, and items to be considered to each board member and the Sunshine List at least forty-eight (48) hours before the meeting. Notice shall also be posted on the County website and the Planning Board's principal bulletin board located at the New Hanover County Government Center. [05-06-2021]
- C. Cancellation of Meetings: Whenever there is no business for the Board, the Chairperson may dispense with a regular meeting by giving notice to all members of the Board, not less than twenty-four (24) hours prior to the time set for the meeting; provided that the Board shall meet at least once in each sixty (60) day period.
- D. Quorum: A quorum shall consist of a majority of the Planning Board members.
- E. Vote: The vote of a majority of those members shall be sufficient to decide matters before the Board, provided a quorum is present.
- F. Conduct of Meetings:
 - 1. All meetings shall be open to the public.
 - 2. The order of business at regular meetings shall be as follows:
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Correction and approval of the minutes of the previous meeting
 - d. Public hearings and preliminary forums
 - e. Staff, Board, or citizens' reports
 - f. Items by Secretary
 - g. Items by Chairperson
 - 3. The Chairperson, at his/her discretion, may impose time limits upon those desiring to speak.
 - 4. At the close of discussion on matters heard in public hearing, the Chairperson may:
 - a. Call for a formal motion, a second, and a vote by the members for or against the motion.
 - b. Call for a vote on the item without calling for a formal motion.

- c. Call for a formal motion, a second, and a vote by the members to table or continue the matter being heard until each time as additional necessary information may be obtained.
- 5. Public hearings before the Planning Board shall be conducted using the same procedures as the Board of County Commissioners. [05-06-2021]

4. Responsibility of Planning Board Members

- A. Membership of the Planning Board is accepted as a public service.
- B. Board members shall, insofar as possible, inspect the site of each rezoning request.
- C. When a Board member concludes that he/she has a conflict of interest, as defined in N.C.G.S. § 160D-109, he/she shall inform the board, refrain from any discussion or comment on that particular case, and abstain from voting. Unless there is such a conflict of interest, each member must vote on every issue. [05-06-2021]
- D. Each Board member shall decide which public or private function he/she can appropriately attend as a member of the Board. No Board member shall claim to speak or act on behalf of the Board without first obtaining approval or direction from the Board authorizing the member to speak or act on its behalf. [05-06-2021]
- E. Whenever any Board member shall incur three unexcused absences, said Board member's failure to attend shall be reported by the Chairperson to the Chair of the Board of Commissioners. Such unexcused absences on the part of any Board member may, at the election of the Chair of the Board of County Commissioners, be deemed to constitute resignation on the part of the Board member from the Planning Board. Excused absences are defined as absences caused by events beyond one's control and are subject to approval by the Planning Board. [05-06-2021]
- F. Board members must uphold County policies pertaining to the duties and responsibilities of the Planning Board, including but not limited to the most recent version of the New Hanover County Commissioners' Committee Policy: *Policy and Procedures for Appointments to County Boards, Commissions, Committees and Authorities*. [05-06-2021]

6. Amendments

These rules of procedure may be amended, within the limits allowed by law, at any time by an affirmative vote of more than one-half of the Planning Board, provided that such amendment is presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted by the New Hanover County Planning Board on the 7th day of June, 1981. Amended September 2, 1999; July 3, 2008; and May 6, 2021.