

Macon County Planning Board

Rules of Procedure Version 2.0

ARTICLE I: GENERAL RULES

The Macon County Planning Board shall be governed by the North Carolina General Statutes, having been established under Chapter 153A, Section 321 of said statutes, and other general and specific state laws relating to planning in Macon County, as well by the Macon County Ordinance through which this Board was created, signed by the Macon County Board of Commissioners on March 27, 1972 and amended on January 5, 2004.

ARTICLE II: POWERS AND DUTIES OF PLANNING BOARD

Section 1: General Powers and Duties

It shall be the duty of the Planning Board, in general:

- a) Make studies of the County and surrounding areas;
- b) Determine objectives to be sought in the development of the study areas;
- c) Prepare and adopt plans for achieving these objectives;
- d) Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
- e) Advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;
- f) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Board of Commissioners may direct;
- g) Perform any other related duties that the Board of Commissioners may direct.

Section 2. Miscellaneous Powers and Duties

- a) The Planning Board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of a land use plan.
- b) The Planning Board shall have power to promote public interest in an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.
- c) Members of the Planning Board, when duly authorized by the Planning Board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation, and the Planning Board may, by formal and affirmative vote, pay, within the budget, the reasonable travel expenses incident to such attendance.
- d) The Macon County Planning Board may enter into cooperative planning and studies with the duly appointed Town Planning Boards in Macon County for the purposes of furthering a coordinated, county-wide planning program or other endeavors. In addition, the Macon County

Planning Board may enter into cooperative planning endeavors with Planning Boards in surrounding counties.

ARTICLE III: MEMBERSHIP ROLES AND TERMS OF OFFICE

Section 1.

The Macon County Planning Board shall consist of eleven (11) members as appointed by the Macon County Board of Commissioners. All members of the Planning Board shall be residents of Macon County.

Section 2.

- a) Seats on the Board will be designated as seats one (1) through eleven (11).
- b) Appointees for Seats 1 through 9 shall, insofar as is practical, be from varying areas of the county, and from various occupations and/or professions. The seats will be appointed for terms of three years and shall be staggered so that three seats expire each year; provided that initial terms of some seats may be less than three years to accomplish appropriate staggering.
- c) The governing board for the Town of Highlands shall nominate the appointee for Seat 10 to the Board of Commissioners. The initial term for Seat 10 shall be for two years and thereafter four years.
- d) The governing board for the Town of Franklin shall nominate the appointee for Seat 11 to the Board of Commissioners. The initial term for Seat 11 shall be for four years and thereafter for four years.
- e) Members may be appointed for consecutive years.

Section 3.

The Macon County Planning Director shall serve as a non-voting “ex-officio” member of the Board. He/she shall serve in an advisory capacity and shall be called upon to provide general technical assistance.

Section 4.

The Macon County Commission may also appoint a liaison from within its membership to serve as a non-voting member of the Planning Board.

Section 5.

All citizen members should attend planned Board meetings regularly. The Planning Board Chairperson, or their designee, may excuse absences. The Planning Board Chair shall notify the Board of Commissioners when any member is absent from two consecutive meetings without excuse and the term of such member shall be vacated and a successor appointed.

Section 6.

In the event of a vacancy on the Planning Board, the Board of Commissioners shall appoint a new member to fill the unexpired term of the vacated position.

ARTICLE IV: OFFICERS AND DUTIES

Section 1. Offices of the Planning Board.

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

Section 2. Chairman.

The Chairman shall be elected by the voting members of the Planning Board and shall have the duties normally conferred by parliamentary usage of such officers, which includes the appointment of committees, and 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 term of the Chairman shall be for one year and he or she will be eligible for re-election. The Chairman may serve consecutive terms for the length of their board appointment.

Section 3. Vice-Chairman.

A Vice-Chairman shall be elected by the Board from among its members at the same time and for the same term as the Chair. He or she shall serve as acting Chair in the absence of the Chair, and at such times he or she will have the same powers and duties as the Chair.

Section 4. Clerk.

The Macon County Planning Director shall supervise the clerical duties of the Macon County Planning Board. If necessary, the Planning Director may appoint a member from outside the membership to handle the clerical duties of the Board. The Clerk shall keep records, conduct all correspondence of the Board, prepare agendas of regular and special meetings with the Chairman, provide notice of meetings to Board members, and shall generally supervise the clerical work of the Board. The Clerk shall keep the minutes of every meeting of the Board, which minutes shall be a public record. If a Clerk is appointed from outside the membership of the Board or is from the Planning Staff, he or she shall not be eligible to vote upon any matter.

Section 5. Election of Officers.

Nomination of officers shall be made from the floor at the annual organizational meeting, which shall be held in January each year. After all nominations are noted, elections shall follow immediately thereafter. A candidate receiving a majority of the members present (providing there is a quorum) shall be declared elected and shall serve in that office for one year or until his/her successor shall take office. Vacancies in office shall be filled immediately by regular election procedure.

ARTICLE V: MEETINGS

Section 1. Regular Meetings.

The Planning Board shall schedule a regular monthly meeting. The Board will establish a meeting date, time and place for its regular monthly meeting at its annual organizational meeting in order to conform meeting times to the convenience of members. All members shall be notified of a change in the monthly meeting schedule. Meetings of the planning Board are subject to and shall be conducted in accordance with the Open Meetings Law. A schedule of regular meetings shall be maintained with the Clerk of the Board of County Commissioners and to all appropriate persons and entities entitled to notice under the Open Meeting Law.

Section 2. Special Meetings.

Special meetings may be called by the chairman at any time. In addition, it shall be the duty of the Chairman to call such a meeting when requested to do so in writing by at least three members of the Planning Board. Notice of such a meeting shall be forwarded to the Clerk of the Board of County Commissioners and to all appropriate persons and entities entitled to notice under the Open Meetings Law. The meeting notice shall specify the purpose of said meeting and no other business might be considered except by unanimous consent of the full membership of the Board, or, if the Board decides in good faith that an item must be acted on immediately.

Section 3. Cancellation of Meetings

Whenever there is no business for the Board, or whenever so many members notify the Secretary of inability to attend that a quorum will not be available, the Chairman may dispense with a regular meeting by giving proper notice prior to the meeting.

Section 4. Open Meetings.

The business of the Planning Board shall only be conducted at a duly scheduled or called meeting in accordance with the Open Meeting Law and at which a quorum is present.

Section 5. Voting / Quorum

Seven (7) members of the voting membership of the Board present shall constitute a quorum and shall be sufficient to decide matters before the Board. No Board member shall participate in the decision of any matter in which he or she has a personal or financial interest. Voting shall be by a show of hands upon a duly presented and seconded motion by a Board member.

ARTICLE VI: ORDER OF BUSINESS

Section 1. The order of business at regular meetings shall be as follows:

1. Call to order – Review of agenda; revision if necessary
2. Approval of minutes
3. Public Hearings
4. Administrative Reports
5. Committee/Project reports
6. Unfinished Business
7. New Business
8. Adjournment

Section 2. The order of business at special meetings shall be as follows:

1. Business as announced in special meeting notice
2. Adjournment

ARTICLE VII: HEARINGS

Section 1.

In addition to those required by law, the Board may, at its discretion hold public hearings when it decides that such hearings will be in the public interest.

Section 2.

Notice of the time and place of such hearings shall be published in the official newspaper of the county or in a newspaper of general circulation at least fifteen (15) days before the time of public hearing or be posted on public bulletin boards at conspicuous places throughout the county or on radio announcements.

Section 3.

The case before the Board shall be presented in summary by the Secretary or a designated member of the Board and parties in interest shall have privileges of the floor. The Secretary shall keep a record of those speaking before the Board.

Section 4.

The Chairman shall establish a decorum to hear those who will discuss points of conflict and concern. In the event that multiple interests approach the Board for a hearing, the chairperson will recognize only one speaker to represent each opposing side. Each speaker will be allotted an equal number of minutes to speak on behalf of his interest. After hearing the presentation, the Board reserves the right to discuss and deliberate at their leisure. The parties involved will be notified at a later date.

ARTICLE VIII: AMMENDMENTS

These by-laws may, within limits allowed by law and governing board, be amended by a majority vote of the membership of the Planning Board, providing 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.