

# DRAFT: Chatham County Citizen Advisory Committees Policy

## 1. SCOPE OF POLICY

### PURPOSE:

This document establishes policies and procedures for the Chatham County Board of Commissioners to make appointments to Chatham County public advisory boards, committees, commissions, and councils (hereinafter referred to as “citizen advisory committees”). It also provides operating procedures and clarifies expectations of the Board of Commissioners for all advisory committees. The intent of this policy is to provide consistency in operations, appointments, accountability and reporting.

The Chatham County Board of Commissioners may appoint a citizen advisory committee whose purpose is to serve in an advisory capacity to the Board of Commissioners (BOC) concerning a variety of topics.

This policy replaces any previously adopted bylaws for specific advisory committees, unless the bylaws are required by statute.

### AUTHORITY:

The Chatham County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the County. For statutory boards or committees, authority may include reference to applicable General Statutes.

The Chatham County Board of Commissioners has the responsibility to appoint citizens to serve as members of citizen advisory committees established by the board.

### PERIODIC REVIEW:

Periodic review of this policy will be conducted every two (2) years by the Chatham County Board of Commissioners.

## 2. MEMBERSHIP

### QUALIFICATIONS:

For purposes of consistency, all appointments to citizen advisory committees will be made by the Chatham County Board of Commissioners. To qualify for an appointment to the citizen advisory committees, a person must meet the following requirements:

- a. All nominees must complete a Chatham County application form to serve on advisory committees, available on the county website and through the Office of the Clerk to the Board of Commissioners. If a deadline is advertised, submitted applications may be considered after the deadline until all vacancies are filled.
- b. All committee members must meet the qualifications for the specific citizen advisory committee and/or the statutory requirements for an appointed position.
- c. All committee members must be eighteen (18) years of age or older unless applying under a youth-designated position.
- d. All committee members shall be permanent residents of the Chatham County or own real property or maintain a place of business in the Chatham County and shall have good reputations for integrity and community service.
- e. No nominee may currently be a party to nor a legal representative involved in litigation against the Chatham County.
- f. Each nominee must be prepared and committed to participating in CAC work in a manner that enhances relationships between the Chatham County and the community.
- g. Citizen advisory committee members serve the people of Chatham County. As such, their role includes

their commitment for full participation in the citizen advisory committee's meetings and activities.

- h. No individual can serve on more than one county advisory committee at a time unless the county has no other qualified nominees for a vacancy. Excluded from this rule are any members appointed by town or other organizations who already serve on another county advisory committee. Anyone appointed to a second committee will only serve in that position until such time as another qualified person has applied and been appointed by the Board of Commissioners.
- i. Specific member expertise or other qualifications for each advisory committee is provided in Addendum A.

**EXCEPTIONS:**

The Chatham County Board of Commissioners may waive requirements, with the exception of statutory requirements.

**COMPOSITION:**

- a. The Chatham County Board of Commissioners shall appoint all voting members to citizen advisory committees, unless specified otherwise by statute. The county will strive to have the voting members reflect the cultural, geographic and ethnic diversity of the community.
- b. No committee shall have less than five (5) total voting members. However, the advisory committee may have additional non-voting ex officio members.
- c. If any representative of a Chatham County department is appointed, they shall serve as a nonvoting member of the committee.

**SELECTION & APPOINTMENT:**

- a. All members of citizen advisory committees serve at the pleasure of the Chatham County Board of Commissioners.
- b. The Chatham County Board of Commissioners will determine if nominees meet the required qualifications. They may choose to assign an individual or group of individuals to review and recommend candidates for advisory committees.
- c. Appointments to citizen advisory boards will be initiated with the nominee's completion of Chatham County advisory committee application form. As noted above, the Chatham County Board of Commissioners may designate other groups or individuals to review applications and recommend nominees, Other entities, such as incorporated towns, also may be responsible to making nominations to some committees.
- d. The advisory committee chairs should notify the Clerk to the Board's Office and the Chair of the Board of Commissioners when a vacancy has not been filled in a timely manner.

**TERMS:**

- a. Each appointed citizen advisory committee member shall serve a term of three years and hold office until the qualification and appointment of his or her successor or until one year has elapsed since the expiration of the term for which the citizen was appointed, whichever first occurs. All appointments will be effective July 1. No person shall serve as an appointed member of the same citizen advisory committee for more than six consecutive years. After a break of at least one year, a person could apply to be appointed to the same committee, but someone could choose to apply to another committee without a break.
- b. All advisory committees should have staggered terms for its membership. To establish staggered terms for all committees, one-third of the original voting members of the citizen advisory committee shall be appointed as follows: three for a one-year term, three for a two-year term, and three for a three-year term. Thereafter, each new voting member shall serve for a three-year term. No voting member shall serve more than two consecutive term(s).
- c. Citizen advisory committee members whose terms are due to expire may request or be asked to accept reappointment to the position.
- d. Extension of a member's term may be approved by the Chatham County Board of Commissioners if it is determined that it is in the best interest of Chatham County to allow an individual to continue to serve, especially for committees that require specific expertise for its members.

**ATTENDANCE:**

Committee members are expected to attend meetings on a regular basis. Members should inform the chair of the advisory committee as soon as possible when unable to attend an upcoming meeting, preferably at least 48 hours notice due to quorum considerations. The advisory committee should maintain attendance records, including all regular and special meetings. If a committee member has missed 25% of the advisory committee meetings during a calendar year, the committee Chair should make a recommendation to the Chair of the Board of Commissioners on continued service of the member. The member in question will provide an explanation in writing. Based on this information, the Board of Commissioners will make a decision on the member's status.

**RESIGNATIONS:**

- a. A member of a citizen advisory board shall submit his or her resignation in writing to the chair of the advisory board on which he or she serves, noting the effective date of the resignation.
- b. The Chair will forward a copy of the resignation to Clerk to the Board of Commissioners and to the Chatham County Board of Commissioners.
- c. The Chatham County Board of Commissioners shall recognize the individual's service via letter or certificate. The Deputy Clerk to the Board will handle this responsibility.

**VACANCIES:**

Upon expiration of the term of service of members or other type of vacancies, including resignations or removal by the Chatham County Board of Commissioners shall have the responsibility of selecting and appointing new members to the committee. The Deputy Clerk to the Board of Commissioners will be responsible for initiating public notices of vacancies as soon as possible, preferably before a seat becomes vacated. The urgency of filling vacancies may vary based on the circumstances.

**RELEASE FROM SERVICE:**

- a. When it is deemed necessary to release a member from his or her term of appointment on a citizen advisory committee, the affected individual shall be notified by letter.
- b. When a citizen advisory committee has completed its function, the members shall be informed of the termination of the citizen advisory committee by letter or e-mail from the Chatham County Board of Commissioners.

**3. ROLES & RESPONSIBILITIES**

**MEMBERS:**

- a. Members shall attend meetings of the citizen advisory committee, serve on subcommittees, and perform other functions as assigned by the citizen advisory committee chair. As noted above, for quorum considerations, if a member is unable to attend citizen advisory committee meetings, the member shall contact the committee chair as soon as possible and at least forty-eight (48) hours before the scheduled meeting.
- c. Upon review of the above matters, the citizen advisory committee shall make recommendations and identify concerns, if any, to the Chatham County Board of Commissioners in writing.

**GOVERNING BOARD:**

- a. The Chatham County Board of Commissioners will consider the citizen advisory committee's recommendations or concerns.
- b. Should any concerns remain unresolved after a response has been received, the Chatham County Board of Commissioners may request that the matter be referred to the County Manager.
- c. To enhance trust between the Chatham County departments and the community, members of the citizen advisory committee will:
  - If requested, assist any related Chatham County departments in achieving a greater understanding of

the nature and causes of community issues, with an emphasis on improving relations between the department and the citizens.

- Recommend methods to encourage and develop advisory committees.
- Work throughout the community to gain relevant information about advisory committee issues and communicate these with the Chatham County Board of Commissioners and employees.

**CHAIR, VICE CHAIR, AND SECRETARY SELECTION AND RESPONSIBILITIES:**

The Chair and any other officers of the citizen advisory committee will be chosen by the advisory committee for a one-year term.

All advisory committee Chairs and Vice Chairs shall be appointed members with at least one year remaining of their terms. The Chair and Vice Chair shall serve no more than three consecutive terms of one-year each, unless authorized otherwise by a vote of the Chatham County Board of Commissioners.

The Chair and the Vice Chair shall assume office when the committee holds its first meeting of the calendar year. At the first citizen advisory committee meeting upon assuming office, the citizen advisory committee Chair shall present members with a copy of the citizen advisory committee's charge, scope, membership roster and a copy of this policy.

- a. The Committee Chair has the following duties as well as any other duties specified by state statute:
  - Calls all meetings.
  - Serves as presiding officer.
  - Serves as a voting member of the advisory committee
  - Assists any assigned county staff in developing the committee meeting agenda.
  - Designates and dissolves subcommittees as needed, but the formation of any new subcommittees should be reported to the County Manager and the Board of Commissioners.
  - Appoints subcommittee chairs and members.
  - Works in consultation with any assigned department head or staff liaison
  - Carries out citizen advisory committee assignments as required by the Chatham County Board of Commissioners
  - Conducts citizen advisory committee meetings and presents a report of the proceedings and resulting motions for approval by the advisory committee.
- b. The committee Vice Chair has the following duty:
  - Presides at citizen advisory committee meetings in the absence of the Chair.
- c. The committee Secretary may be a role assigned to one member or rotated among several members. The Secretary has the following duties:
  - Takes (or oversees the taking of) minutes for all committee meetings.
  - Submits minutes to the Chair (or designated person) to be distributed to committee members in advance of CAC meetings.
  - Assures that other records of the advisory committee, including attendance records, are kept as directed by the Chatham County Board of Commissioners.

Advisory committees may appoint an Executive Committee that includes the Chair and Vice Chair or other designated members, if desired.

**ACCOUNTABILITY & REPORTING**

Each advisory committee will establish specific goals, objectives and measures based on the advisory committee's mission and direction from the Chatham County Board of Commissioners. The proposed goals and

objectives will be submitted to the Board of Commissioners for review and approval. Progress toward goals and objectives will be reported annually to the Chatham County Board of Commissioners and County Manager. The goals may include short-term and long-term steps and measures, but the intent is to identify measures of progress to report each year and/or barriers preventing the accomplishment of goals. The County Manager's Office will provide materials and/or training to assist advisory committees in developing and tracking specific goals, objectives and measures.

Each advisory committee should work with the Clerk to the Board's Office to establish a time on the agenda in January or February of each year to make an annual report to the Board of Commissioners, using the reporting template provided as Addendum B. The presentation itself should not exceed fifteen (15) minutes plus time for questions. A copy of the annual report will be provided to the Board of Commissioners to review at least seven (7) days prior to the meeting where the report will be presented.

All recommendations or reports officially approved by a vote of the committee shall be **transmitted in writing** in a timely manner to the Chatham County Manager who will forward to the Chatham County Board of Commissioners. If there are opposing perspectives to the action or recommendation of the committee, the advisory committee should provide a summary of the opposing viewpoints in its report to the Board of Commissioners.

#### **4. ORGANIZATION**

##### **ORIENTATION AND TRAINING:**

Chatham County citizen advisory committee members and assigned department staff may need periodic training on state and county goals and priorities as well as relevant statutes and policies, including open meetings, public records, conflicts of interest, and ethics.

- a. Each member shall attend an orientation presented by assigned staff liaison or the committee Chair to familiarize the citizen advisory committee members with the operation of County government, the related departments), and the rules and operating procedures of the citizen advisory committee.
- b. The orientation will be offered when convenient for new appointees, but members are expected to complete the orientation within six weeks after their appointment is effective.

#### **5. MEETINGS**

In accordance with the North Carolina General Statutes, all meetings are open to the public as required by the Open Meetings Law.

The members of the citizen advisory committee shall adopt rules and procedures relating to the operation of the committee, as needed. The citizen advisory committee members shall determine the date, time, and place for each meeting.

- a. Regular Citizen Advisory Committee and Subcommittee Meetings: The citizen advisory committee convenes upon call of the Chair and meets on regular basis, at least four times a year. The meetings may be held in specified or various locations within the County. Subcommittee meeting dates shall be set by the subcommittee Chairs. Advisory committees are encouraged to schedule subcommittees in conjunction with citizen advisory committee meetings, with a focus on convenience of members who must attend multiple meetings.
- b. Special Meetings: A majority of citizen advisory committee members or the Chair may call special meetings at any time for any specific business. Special meetings, such as appeals, are convened at a location selected by the Chair.
- c. Meetings via Teleconference: Teleconference meetings shall be held only in unusual circumstances and shall not replace regularly scheduled committee meetings. No regular meeting or appeal hearing shall be conducted via teleconference. Under no circumstances should a teleconference meeting exceed two hours.

- d. Emergency Meetings: A majority of citizen advisory committee members or the Chair may call a meeting in emergency circumstances by providing telephone notice to media outlets at least one hour prior to the meeting. An emergency situation includes a disaster that severely impairs the public's health or safety. In the event telephone services are not working, notice that the meeting occurred must be given as soon as possible after the meeting.
- e. Meeting Notices: Notice of public citizen advisory committee meetings and agendas shall be made available to all members and interested parties, and to any person who so requests, at least two calendar days in advance of the meeting by email and by posting on the county website. If a staff liaison is not assigned to the committee, dates of meeting for posting on the calendar should be sent to the Chatham County Webmaster.
- f. All meetings should include a period of public input at least ten (10) minutes long. The advisory committee can adopt other rules as needed for this input period.
- g. Agendas:
  - Committee Chairs (and/or committee members) should submit agenda items to the designated person at least seven (7) calendar days prior to a scheduled meeting.
  - The agenda must provide a description of each item of business to be transacted or discussed so that interested members of the public will be capable of understanding the nature of each agenda item.
  - As a general rule, only those items appearing on the agenda will be discussed or voted on. However, if an item is raised by a member of the public, the citizen advisory committee may accept testimony and discuss the item so long as no action is taken until a subsequent meeting.
  - With the Chair's agreement, any designated staff liaison will develop and distribute to each member an agenda listing the matters to be considered at upcoming citizen advisory committee meetings. Also, so far as practicable, copies of all written reports that are to be presented to the citizen advisory committee for members' review will be included in this package at least five (5) calendar days before the meeting.
  - All meeting agendas should be posted on the county website and sent out as an e-notice at least two days in advance. If no staff liaison is assigned, the committee Chair should send the agenda to the Chatham County Webmaster at least two days prior to the meeting.
- h. Minutes: The committee's Secretary or other designated person will take minutes of all citizen advisory committee meetings and approved by a vote of committee members. Once minutes are approved by the advisory committee, they should be posted on the Chatham County website on the committee's web pages. If no assigned staff liaison to handle this duty, approved minutes should be sent to the Chatham County Webmaster for posting within two weeks of approval.
- i. All recommendations and reports of the citizen advisory committee, approved in the form of motions, shall be conveyed in writing exclusively to the Chatham County Board of Commissioners for action. The chair should work with the County Manager to schedule a time on an upcoming Board of Commissioners meeting for the presentation of the recommendations or reports. Approved motions are forwarded to the Chatham County Board of Commissioners for consideration, approval, or denial. Outcomes are reported back to the citizen advisory committee.

## **6. SUBCOMMITTEES**

Subcommittees may be formed by the citizen advisory committee to research and make recommendation on special issues or areas in order to carry out the duties of the citizen advisory committee. All subcommittees shall be reviewed on an annual basis by the advisory committees to determine continued need and realignment with the priorities of the citizen advisory committee.

- a. Except as approved by the County Manager, the majority of members of a subcommittee shall be Chatham County residents and other members should work or own a business in the county.
- b. Subcommittees are ad hoc and temporary in nature. Approved ad hoc subcommittees must have

documented goals, deliverables, and a timeline, and the subcommittee will cease to meet when these are satisfied.

c. Subcommittee Formation and Operation:

- A subcommittee can be formed by the Chair of the advisory committee upon notification of the County Manager and the Chatham County Board of Commissioners.
- Subcommittees shall operate as specified:
  - A member of the subcommittee shall take responsibility for assigning a note taker and for reporting to the full citizen advisory committee the subcommittee's progress toward its stated objectives, including dissenting view points.
  - Subcommittees shall operate by majority vote.
  - Subcommittees may request a technical representative, to be approved by the Chatham County Manager and any related Department Heads.
  - The MIS Department will support necessary and reasonable accommodations for subcommittee members, such as teleconferencing for someone who cannot physically attend due to disability. To make a request for special accommodations, notify the staff liaison or County Manager.
  - Subcommittees shall operate openly as defined by state laws and local policies.
  - Membership on subcommittees shall be voluntary (unpaid) unless policy dictates otherwise.

## **7. QUORUM**

A quorum for a meeting of citizen advisory committees shall consist of one more than half the voting members, excluding vacant voting positions and members who are disqualified from voting due to a conflict of interest.

## **8. VOTING**

Decisions are reached by a simple majority vote unless otherwise required by law. All voting will be conducted in open meetings, except when in closed session as defined in the North Carolina Open Meeting Law. No issues can be voted upon unless a quorum is present. Unless statutes specify otherwise, the following applies:

- a. Only appointed members can vote at advisory committee meetings. Appointed members shall not delegate their vote to another member.
- b. Advisory committee members and others voting members appointed by the Chatham County Board of Commissioners may vote at citizen advisory committee meetings.
- c. Committee members holding non-voting seats will not vote in any circumstances.
- d. The Chair of the advisory committee will vote on committee issues except in cases of conflicts of interest.
- e. Voting by proxy is not allowed.

## **9. AUTHORIZED REPRESENTATIVE**

The chairs of advisory committees are the official representative of the committees during presentations or comments at public events, including meetings or hearings of the Board of Commissioners. The chairs may designate another committee member to fill this role if needed or also may ask the County Manager, staff liaison or a Department Head to do so.

## **10. CONFLICT OF INTEREST**

During citizen advisory committee meetings, a member shall abstain from voting when he or she has a conflict of interest, as defined by Chatham County's Conflict of Interest Policy shown as Addendum C.

Members of the public or other committee members have the right to question the conflict of interest of any voting member. The citizen advisory committee Chair should consult with the County Attorney on any potential conflicts of interest.

## **11. COMPENSATION & TRAVEL**

Voting members of the citizen advisory committee are not employees of Chatham County. Appointed advisory committee members shall receive no compensation or employee benefit for their services. Chatham County does not provide travel expenses without advance approval of the County Manager.

## **12. LIMITATION OF POWERS**

Committees shall operate within the charge given by the Chatham County Board of Commissioners and in compliance with state statutes and county ordinances:

Nothing contained in this statement of policy and procedures shall be construed to be in conflict with any state law or Chatham County ordinance. Should there be an appearance of conflict, the appropriate state law or Chatham County ordinance shall prevail.

Neither the citizen advisory committee, nor any member thereof, shall:

- Incur County expense or obligate the County in any manner.
- Release any written or oral report of any board activity to any individual or body other than the Chatham County Board of Commissioners or the County Manager. Chatham County will issue any press releases related to any reports from the advisory committees, in consultation with the committee Chair.
- Independently investigate citizen complaints against a County department or an employee of the department.
- Conduct any activity that might constitute or be construed as an official governmental review of departmental or employee actions.
- Conduct any activity that might constitute or be construed as establishment of County or department policy.
- Violate the confidentiality of any information related to matters involving pending or forthcoming civil or criminal litigation.

Matters pertaining to discipline of advisory committee members will be the sole responsibility of the Chatham County Board of Commissioners and not the citizen advisory committee. The activities of the citizen advisory committee shall, at all times, be conducted in accordance with all federal, state, and local laws.