

# Chatham County Appearance Commission Rules of Procedure

## I. Preface

The following Rules of Procedure are adopted by the Chatham County Appearance Commission to facilitate the exercise of its duties and powers as set forth in the North Carolina General Statutes and the Ordinance to Establish an Appearance Commission effective April 20<sup>th</sup> 1992.

## II. General Powers and Duties

The Appearance Commission, in cooperation with Chatham County citizens and local, regional, state and federal agencies shall:

- A. Adhere to Section 4. General Power and Duties of the *Ordinance to Establish a Community Appearance Commission in Chatham County*.
- B. Be informed of the principles and practices of planning.
- C. Cooperate with surrounding counties and towns in any development concern that affects any of the jurisdictions.
- D. Inform the public of decisions and actions of the Appearance Commission through the Chair of the Appearance Commission, and planning staff liaison.

## III. Membership

- A. The Appearance Commission membership shall be appointed by the Board of Commissioners as set forth in the *Ordinance to Establish a Community Appearance Commission in Chatham County*.
- B. The term of membership shall be three (3) years.
- C. Candidates for appointment to the Appearance Commission shall submit a resume to the Board of Commissioners prior to appointment. Where possible, appointments shall be made in such a manner as to maintain on the Commission at all times a majority of members who have special training or experience in a design field, such as architecture, landscape architecture, horticulture, city planning, or a closely related field.
- D. The Board of Commissioners may, from time to time, appoint ex-officio members to serve such terms as are fixed by the appointing resolution. Ex-officio members shall not vote on any matter before the Appearance Commission.
- E. Each Member of the Commission shall, before entering their duties, qualify by taking an oath of office as required by GS 160D-309.

## IV. Officers

- A. The Commission shall elect one member to serve as Chairman and preside over the meetings and shall create and fill such offices and committees as it may deem necessary. The term of Chairman and other officers shall be one year, with eligibility for re-election to a second term.

## **V. Meetings**

- A. The Appearance Commission shall hold at least six meetings per year unless no projects or amendments have been presented for review and may hold additional meetings, subcommittee meetings, and work sessions as necessary to achieve the goals and objectives of the Appearance Commission. All meetings shall be in compliance with the North Carolina Open Meeting Law, Article 33C of Chapter 143 of the North Carolina General Statutes.
- B. There shall be a quorum present at the meeting for actions taken to have legal standing. A quorum shall constitute (5) members.
- C. The date, time and location of the regular meeting may be changed as deemed necessary by the commission.
- D. Robert's Rules of Order shall govern the meetings of the Appearance Commission.
- E. If a member feels that insufficient information has been presented for him/her to form an opinion on the matter in question, then the member may request, if the calendar for disposal of the matter allows and with the Commission's consent, that consideration of the matter be postponed until the following regular meeting. The member would then explain what it is he/she needs from the applicant in order to make a recommendation.
- F. A motion will be considered carried if a majority of the members, present and voting, have voted in favor of the motion.
- G. In any case in which a motion results in a tie vote, the Chair shall encourage an alternate motion for consideration. If the alternate motion results in a tie vote, neither motion shall be considered to have carried, and shall be noted as such in the record of the meeting.
- H. There shall be a written meeting agenda of each regular meeting of the Appearance Commission. The Chair of the Appearance Commission and the Zoning Administrator shall decide upon the meeting agenda of the Appearance Commission, with final approval by the Chair. The agenda, as presented at the meeting, may only be changed by a two-thirds (2/3) vote of the Commission members present.
- I. County staff shall prepare written notes or provide plans on each agenda item, so that Appearance Commission members are aware of the business of the Commission and may study such information prior to the Appearance Commission meeting.

- J. Notes will be prepared by the Commission's delegated secretary for all items for which a vote is required. If an Appearance Commission member wishes to have an item considered for a vote, a written summary shall be distributed to Commission members along with the other materials prepared for the meeting. If an item is brought up at the Commission meeting that is not on the agenda and a vote is required, that vote will be held at the next regular meeting of the Appearance Commission.
- K. Notice of the meeting shall be given as required by the North Carolina open meeting law. All meetings of the Appearance Commission are open to the public subject to the North Carolina open meetings law. The public is encouraged to attend and participate in meetings of the Appearance Commission.
- L. Cancellation of regular meetings is subject to the North Carolina open meetings law.
- M. The Commission shall maintain a record of its members' attendance, its actions, findings, and recommendations, which record shall be open to the public.
- N. The chair, to facilitate a meeting, may place time limits on public comments and input.
- O. The agenda shall consist of items routine in nature. Before the agenda is approved, the Chair shall ask the audience if any person of standing wishes to speak on an item on the agenda. If so, the Chair will recognize them at the time that item is being discussed.
- P. Any Commission member may request an item be removed from the agenda. This request does not require a vote of the Commission, but, upon such request, the item shall be placed on the next regular agenda in an order determined by the Chair.
- Q. Each Commission member will receive an Agenda Packet via electronic mail or via the website. The Planning Department liaison shall provide to the Commission, at least two days prior to the regular meeting via electronic mail the agenda along with the supporting site plans for each item to be discussed.

## **VI. Special Meetings**

The Chair may call special meetings of the Appearance Commission, subject to the North Carolina Open Meetings Law.

## **VII. Remote Meetings (Electronic Meetings)**

The Chatham County Appearance Commission recognizes that Article 33C of Chapter 143 of the North Carolina General Statutes contemplates that official meetings of advisory committees established by the Chatham County Board of Commissioners, may take place by electronic means. In fact, §143-318.10(d) of the North Carolina General Statutes states that an official meeting is, "a meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body."

Remote Meetings can take place for any regular, special, or emergency meeting of the Chatham County Appearance Commission.

A. Definition of an Electronic Meeting: An Electronic Meeting is any meeting where members participate through telephonic communication, or a telecommunications application which allows simultaneous communication by multiple parties, or other similar means that allows the members to hold a meeting without the members being physically present in the same room.

Notice of Electronic Meeting: If an Electronic Meeting is to be held, public notice shall be sent as part of any notice required by North Carolina General Statutes §143-318.12. The public notice, in addition to the information required by North Carolina General Statutes §143-318.12, shall provide the means by which the public can access the remote meeting as that remote meeting occurs.

### **VIII. Conflict of Interest**

Members of appointed boards shall not vote on any advisory or legislative decisions regarding a development regulation adopted pursuant to G.S. 160D-109 where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

### **IX. Committees**

The Commission may establish standing as well as ad hoc committees to study matters of concern to the Commission. The standing and ad hoc committees shall study and make recommendations on matters before them to the Appearance Commission.