

MEETING PROCEDURES

When the Catawba County Board of Commissioners conducts its meetings, it follows *Suggested Rules of Procedure for Small Local Government Boards* by A. Fleming Bell, *UNC School of Government*, as a guideline to ensure a fair and impartial hearing for one and all, that each person's rights will be protected, and that democratic rule prevails at each meeting.

TYPES OF MEETINGS

The Board of Commissioners adopts a meeting schedule at the end of each year for the upcoming year. The meetings on this schedule are considered **"Regular"** meetings and occur on the 1st (at 9:30 a.m.) and 3rd (at 7:00 p.m.) Mondays of the month. Budget Hearings are also included in this Regular Meeting schedule. The meeting schedule may be found on the County's website at www.catawbacountync.gov/commish/meetgsch.asp and is posted on the door of the 1924 Courthouse, 30 North College Avenue, Newton, where the Board of Commissioners meetings take place.

Exceptions to this Regular Meeting schedule are the first meeting in September, which occurs on the first Tuesday due to Labor Day and the second meeting in January, which occurs on the third Tuesday due to Martin Luther King, Jr. Day.

"Special" Meetings occur when an issue needs to be considered at a time when a Regular Meeting is not scheduled. Notice is given to the public of this Special Meeting at least 48 hours before the meeting date and time, and includes the subject to be discussed at the Special Meeting.

"Emergency" Meetings take place when generally unexpected circumstances occur and require immediate consideration by the Board of Commissioners. While a 48 hour notice might not be possible in an emergency situation, notification to all Board members and local news media is required for this type of meeting.

In the case of both Special and Emergency Meetings, only business specified in the notice may be transacted by the Board.

Subcommittee Meetings take place the Monday prior to the Board's Regular Meetings, at 8:00 a.m. in the 2nd Floor Meeting Room of the Government Center in Newton. Two subcommittees, the Policy and Public Works Subcommittee and the Finance and Personnel Subcommittee, are each comprised of two commissioners. Agenda items are presented by staff and each subcommittee makes recommendations whether an item should go to the Board of Commissioners for consideration at its upcoming meeting.

OPEN MEETINGS LAW

All meetings are open to the public in accordance with the North Carolina Open Meetings Law. The law ensures that public business is performed in an open and public manner so that citizens can observe and be fully aware of the actions taken by public officials. Subcommittees, task forces, advisory boards, and committees of the Board of Commissioners must also follow the Open Meetings Law.

The Board may convene in closed session only upon a majority vote of the Board taken in an open meeting. The reasons for the closed session must be stated in open session and must be in accordance to North Carolina General Statutes. These reasons include: to prevent the disclosure of confidential information that is not a public record, to prevent premature disclosure of an award or prize, to consult with an attorney retained by the public body (attorney-client privilege), to discuss location or expansion of industries and tentative economic development incentives, to negotiate the price and terms for the acquisition of real property, and to consider the qualifications or performance of an individual public officer.

QUORUM

In order for action to be taken on an item before the Board, a quorum must be present. A quorum is a majority. This means for the five-member Catawba County Board of Commissioners, three members must be present. If a Board member is absent from a meeting without being officially excused, that member will be counted as present in determining if a quorum exists – this prevents a member from defeating a quorum by simply leaving the meeting.

DUTIES OF THE CHAIR AND VICE-CHAIR

The power of the Board of Commissioners is derived from the whole Board as a single entity. No one member has the power to act on county business as an individual. The Chair and Vice-Chair are elected at the Board's first meeting in December. The Chair is the presiding officer of the Board of Commissioners and acts as head of county government for all ceremonial functions. The Chair has no more legal power than other members of the Board other than the special authority to declare states of emergency and the authority to call special meetings.

The Vice-Chair acts in the absence or disability of the Chair. If the Chair and Vice-Chair are both absent from a meeting of the Board, the members present may choose a temporary Chair.

WHO IS SEATED WITH THE BOARD AT THE DAIS

As the audience faces the Board, the individuals to the left of the five Board members are the Assistant County Attorney and the County Attorney. They advise the Board on all legal and procedural questions. To the right of the Board members are the County Manager and the County Clerk. The County Manager is the chief administrator of the County and is responsible to the Board for administration of all departments of County government under the Board's general control. The County Clerk prepares agendas for the Board's meetings and writes full and accurate minutes of those meetings which are made publicly available.

AGENDA ITEMS

There are several items that occur on every Board of Commissioners agenda. After the Chair calls the meeting to order, the audience is invited to join the Board in the Pledge of Allegiance to the Flag and the invocation. No one is required to participate in these items. Each agenda also includes a period where anyone present may come forward and make comments for items not listed on the agenda. Speakers must share their name and address for inclusion in the record.

The agenda may also include a Consent Agenda. Many items on local governing board agendas are legally required

to be considered at a formal session. Some are of a routine nature and do not require debate or extensive consideration. The Consent Agenda is used for these items. The benefit of the Consent Agenda is that it gives more time for debate and consideration of items or issues of a more controversial and complex nature.

The Board began using the Consent Agenda on October 2, 1978. The Consent Agenda is a group of items passed with a single motion and vote. However, if a Board member wishes for separate consideration of one or more of the items in the group, he or she may ask for the item or items to be removed from the Consent Agenda and be considered individually.

MOTIONS – NO SECONDS REQUIRED

Since 1974, the Catawba County Board of Commissioners has not required a second on either a motion or a nomination placed before it. A second is useful for large legislative bodies because if at least two people are not in agreement with a motion, it is a waste of time to pursue it. The Catawba County Board of Commissioners is a small body with only five members and a second is not necessary to determine whether to consider an agenda item. There is no legal requirement for a second. The United States Congress, for instance, does not require motions to be seconded.

CATAWBA COUNTY GOVERNMENT

100A Southwest Boulevard
Post Office Box 389
Newton, North Carolina 28658
828-465-8200

PERSONS WITH DISABILITIES: Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. Access to the 1924 Courthouse for individuals with disabilities is at the south side (“A” Street). The elevator is located at the north end of the building. Participation in public meetings is without regard to race, creed, religion, national origin, sex, age, color, or disability.

INFOTALK/INTERNET: The Catawba County Telephone System will allow you to use your touch tone telephone to obtain current information on Catawba County 24 hours a day. Information is updated on a regular basis. Dial 828-465-8468 and INFOTALK will direct your questions with easy to understand instructions. Reach Catawba County on the Internet at <http://www.catawbacountync.gov>.

CATAWBA COUNTY COMMISSIONERS

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CATAWBA COUNTY BOARD OF COMMISSIONERS MEETING OVERVIEW



Welcome to today’s meeting of the Catawba County Board of Commissioners. We appreciate your interest in your county government and encourage you to return for future meetings. It is our hope that this brochure, along with the meeting agenda and preview sheet, will be useful tools in understanding what occurs at this meeting.

If we can be of further assistance, please call the County Clerk at 828-465-8990 or visit the County Manager’s Office, located on the second floor of the Government Center at 100A Southwest Boulevard in Newton.