

# Cashiers Area Community Planning Council By-laws and General Rules of Procedure

(Adopted \_\_\_\_\_)

## Article I Purpose

The Cashiers Area Community Planning Council shall be governed by the terms of Chapter 153A-Section 321, of the General Statutes of the State of North Carolina, as well as the “Jackson County Cashiers Commercial Area Land Development Ordinance”. Each member of the Planning Council shall be expected to thoroughly familiarize himself with these by-laws. For the purposes of this set of by-laws, the Cashiers Area Community Planning Council shall hereafter be referred to as the “Planning Council”.

## Article II Officers

Section 1. **Officers.** The Officers of the Planning Council shall be Cashiers Area Community Planning Council members and shall consist of a chairman and vice-chairman elected by the Planning Council. All terms shall be for a period of one year.

Section 2. **Chairman.** The chairman shall preside at all meetings and hearings of the Planning Council and shall have the duties normally conferred by parliamentary usage of such office.

Section 3. **Vice-Chairman.** The vice-chairman shall act for the chairman in his/her absence and shall exercise the same powers and duties as the chairman in such instances.

## Article III Membership

The Planning Council shall consist of five (5) regular members and two (2) alternates appointed by the Jackson County Board of Commissioners. All terms will be for a period of (3) years, except the initial appointments, which will be (1) one year term, (2) two year terms, and (2) three year terms, as determined by the Planning Council, in order to stagger terms of the council members.

Section 1. **Members.** All members shall have equal rights, duties, and privileges on all issues brought before the Planning Council.

Section 2. **Attendance.** Regular attendance at the meetings of the Planning Council is considered a prerequisite for maintenance and membership on the Planning Council. Members who miss more than four meetings in a year or three consecutive meetings of the Planning Council shall be replaced by an alternate Planning Council

member. In the event an alternate member is not available appointments will be at the discretion of the Board of Commissioners.

Section 3. **Vacancies.** In the event of a vacancy on the Planning Council, the Board of Commissioners shall appoint a new member to fill the unexpired term of the vacated position if an alternate member is not available.

Section 4. A member of the Planning Council may continue to serve at the expiration of their term until such time as they re-appointed or replaced.

#### **Article IV Administration**

Section 1. **Staff.** The Jackson County Planning Department shall serve as staff to the Planning Council. Staff will be responsible for reporting minutes and sending meeting notices. Copies of all meeting minutes shall be sent to each member of the Jackson County Board of Commissioners and a copy of all notices shall be mailed to each member of the Jackson County Board of Commissioners within one week from the date of each meeting.

Section 2. **Expenditures.** Expenditures made by the Planning Council, exclusive of gifts or grants, shall be within the amounts appropriated for that purpose by the Jackson County Board of Commissioners. No indebtedness for which the County should be liable shall be contracted or incurred by the Planning Council unless the appropriation is made by the Board of Commissioners for such purpose, as authorized by law, and then only to the extent of the appropriation. The Planning Council shall have the right to accept gifts and donations for the exercise of its functions, and may expend the money received from such gifts and donations in a manner which in the judgement of the Planning Council is consistent with the Cashiers area planning program. In addition, the provisions of N.C.G.S. 153A-322 shall apply as appropriate.

#### **Article V Meetings**

Section 1. **Regular Meetings.** Regular meetings of the Planning Council shall be held at least once a month. Meetings will be held at a time and place to be established by the Planning Council. Notices for all meetings shall be provided in accordance with N.C.G.S. 143, Article 33.c. The meetings of the Planning Council and its committees shall be open to the general public. The Planning Council shall have the power to meet in executive session concerning appropriate procedural necessities in compliance with North Carolina's Open Meetings law, (N.C.G.S. 143-318.9 through 318.12. No such session shall be called unless the county attorney is present.

Section 2. **Rules of Procedure.** The Planning Board shall follow the “Suggested Rules of Procedures for Small Local Government Boards” written by Fleming Bell and published by the Institute of Government.

Section 3. **Special Meetings.** Special meetings may be called by the Chair or by written request of at least three other members of the Planning Council. The Chair shall provide at least forty-eight (48) hours written notice to each member of the Planning Council stating the subject, time and meeting location of special meetings. No business other than that for which the special call was issued may be considered at the special meeting.

Section 4. **Voting/Quorum.** A quorum shall consist of at least three (3) members of the Planning Council provided the Chairman or Vice-Chairman is among the three (3).

Section 5. **Conduct of Meetings.** The order of business at the regular meetings shall be as follows:

1. Call to order and taking of the roll
2. Public comment
3. Call for approval of minutes of previous meetings
4. Consideration of additions to the agenda
5. Consideration of items on the agenda
6. Adjournment

Section 6. **Cancellation of Meetings.** Whenever there is no business for the Planning Council or whenever so many members notify the Planning Staff of inability to attend that a quorum will not be available, the chairman may dispense with a regular meeting by giving written or oral notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.

## **Article VI Rules of Conduct for Members**

Section 1. No Planning Council member shall take part in the hearing, consideration or determination of any case, or other decision, in which he is personally or financially interested.

Section 2. No Planning Council member shall vote on any matter deciding an application or appeal unless he shall have attended the public hearing on that application or appeal.

Section 3. Faithful attendance at all meetings of the Planning Council and conscientious performance of the duties required of members of the Planning Council shall be considered a prerequisite of continuing membership on the Board.

**Article VII**  
**Membership Liability**

The Planning Council and the individual members thereof, serving as an advisory board to the Jackson County Board of Commissioners, are protected from liability in so far as their actions are within the scope of their duties and responsibilities, N.C.G.S. 153A-11 and 12.

**Article VIII**  
**Amendments**

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of the majority of the members of the Planning Council, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

**Adopted this the 22nd day of January, 2004.**

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Ed Henson, Chairman  
Cashiers Area Community Planning Council

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Jackson County Planning Coordinator