

**Town of Mocksville  
Regular Board Meeting  
August 7, 2017**

The Town of Mocksville Board of Commissioners met for the Special Board Meeting Workshop on Monday, August 7, 2017, at 3:00 p.m. in the Mocksville Town Hall.

<b>Present:</b>	Mayor, Will Marklin	<b>Absent:</b>	Johnny Frye
<b>Commissioners Present:</b>	Lash Sanford Amy Vaughan-Jones Brent Ward Rob Taylor		

**Others Present:**

Marcus Abernethy, Town Manager  
Lynn Trivette, Town Clerk/Finance Director  
Al Benschhoff, Town Attorney  
Brian Williams Chairman, Planning Board  
UNC School of Government, Trey Allen

Mayor Marklin called the meeting to order welcoming everyone in attendance.

Rules of Procedure Board Builder Workshop presented by Trey Allen from the UNC School of Government.

**What's a Public Body?**

- Two or more members; intentionally created or appointed; Governmental (not private); exercising any one of the five functions below;
- Legislative, policy-making, quasi-judicial, administrative or advisory

**What's Not a Public Body?**

- A meeting solely among a public body's professional staff
- A group comprising only the medical staff of a public hospital

**What's an Official Meeting?**

- Majority of the members of the public body
- Gather together, in person or electronically
- Conduct a hearing, deliberate, vote on public business, otherwise, transact public business

**What's Not an Official Meeting?**

- A social meeting or another informal gathering of a public body

### **Regular Meetings?**

- File schedule with the clerk; post on website

### **Special Meetings?**

- 48-hour notice to those who request it; post on the bulletin board or – if there's not a bulletin board; post on the door of usual meeting room; post on website

### **Emergency Meetings?**

- Notice to news media; same manner as board

### **Recessed Meeting?**

- Post on website

### **Closed Session?**

- Process: Motion in open session, stating general purpose of closed session
- Preserve confidentiality of records
- Preserve attorney client privilege
- Discuss economic development
- Discuss bargaining position for property acquisition
- Consider performance, qualifications, appointment, of public employees and public officers, not members of the board itself or other boards
- Matters involving alleged criminal misconduct

### **What is Parliamentary Procedure?**

- Parliamentary Law: Recognized rules, precedents and usages of legislative bodies by which their procedure is regulated.
- Parliamentary Procedure: Parliamentary law as it is followed in any given assembly or organization, together with whatever rules of order the body may have adopted.

### **Why Have Rules of Procedure?**

- Rules allow everyone to be heard and make decisions without confusion
- To protect the rights of individual members and minorities, particularly their right to participate in the group's deliberations
- To allow the will of the majority to be determined in an orderly and efficient manner
- The council may adopt its own rules of procedure, not inconsistent with the city charter, general law, or generally accepted principles of parliamentary procedure

## **7 Basic principles?**

- The board must act as a body
- The board should conduct its business orderly and efficiently
- The board must act by a majority
- Every member should have an equal opportunity to participate
- Rules of procedure should be followed consistently and uniformly
- Decisions should be based on the merits, not on manipulation of the rules
- Rules should help, not hinder

## **Role of the Mayor?**

- Maintain order and decorum
- Direct flow of business based on agenda
- Recognize members to speak
- Enforce rules of procedure consistently and fairly
- Rule on questions of procedure

## **Participating as Member?**

- Know the rules and follow them
- Direct comments and motions through the Presiding Officer
- Refrain from personal attacks
- Know what you are voting on and ask for clarification if needed
- Remember whose interests you serve

## **Agenda?**

- Agenda sets order of business for meeting
- Agenda should be followed
- Board is ultimately responsible for its own agenda
- Preparing agenda usually is delegated to the Clerk and Town Manager
- Majority of the board can amend agenda by motion
- Individual member cannot amend agenda without board approval
- Board approves agenda

## **Quorum?**

- Quorum equals number of members who must be present for body to conduct business
- For small bodies, quorum is usually defined as more than half of a body's members
- (Total seats – vacant seats/2 + Mayor = quorum (See N.C. General Statute 160A-74, Quorum “A majority of the actual membership of the Board, plus the Mayor, excluding vacant seats”.)

## **What is a motion?**

- yes or no

### **Types of motions?**

- Main: The item of business the board is considering; approval of the budget
- Procedural: An action taken on the main motion; amend the budget ordinance
- A motion ends the debate

### **Handling Debate?**

- Calling the question cuts off debate
- Debate limited to merits of pending question
- Extend courtesy to each other and the public in the debate
- Presiding officer should step aside if actively involved in debate
- All members should have a similar opportunity to speak

### **Voting?**

- Member may be excused from voting only if matter involves the member's financial interest or official conduct or member is prohibited from voting under; direct benefit in contracting; and on legislative zoning; quasi-judicial decisions if there is a financial or Constitutional conflict. Members may decline to vote on zoning map or text amendments and their vote shall be an abstention.

### **Postponing/Reviving Matters?**

- Defer consideration; table
- Reconsideration; take from table
- Prevent reintroduction; clincher
- Postpone to a certain date
- Reconsider
- Rescind or repeal

### **Managing Public Input/Comments?**

- Establish rules for speakers to ensure fairness and maintain order
- Announce rules before comment period/hearing
- Provide rules in writing (list)
- Apply rules consistently to all speakers
- Determine subject matter limitations
- Time limit for speakers
- Representative to speak for large group
- Remove disruptive individuals
- Limit signs and displays
- Sign-up sheet
- No personal attacks, profanity, etc.
- Receiving written comments, handouts, etc.

### **RONR for small boards?**

- Member may raise hand instead of standing when seeking to obtain the floor and may remain seated while speaking
- Motions need not be seconded
- There is no limit to number of times members may speak to debatable question
- Informal discussion of subject is permitted while no motion pending

Mr. Allen introduced Coates' Canons Blog to the Board.

- <https://canons.sog.unc.edu/public-comment-period-policies-whats-legal/>
- Just an example of blogs on the UNC School of Governments website. A great resource for learning

Keep it simple!!

### ***Adjourn***

*A motion was made by Commissioner, Brent Ward to adjourn the August 7, 2017, Special Board Meeting Workshop. The motion was seconded by Commissioner, Rob Taylor and approved by a unanimous vote. 4-0*

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William J. Marklin, Mayor

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Lynn Trivette, Town Clerk, NCCMC