

Buncombe County
Early Childhood Education and Development Committee
By-Laws
Adopted September 3, 2019
DRAFT – Amended and restated November 2021

- I. **Purpose:** The purpose of the Committee is to engage with community partners, solicit public input and make policy and investment recommendations to the Board of Commissioners for Buncombe County’s Early Childhood Education and Development Fund.

The purpose of the Early Childhood Education and Development Fund is to ensure that every child in Buncombe County has an equal opportunity to thrive during their first 2,000 days, including access to quality early childhood education.

The Fund was established in response to a well-documented local shortage of quality early childhood education programs, barriers that families face in accessing existing programs, including affordability, and a well-documented shortage of qualified teachers and staff in classrooms and centers.

The goals of the Early Childhood Education and Development Fund are as follows:

- Collaborate with community leaders and stakeholders for a coordinated system approach.
- Increase the availability of high quality early childhood care and education with an emphasis on pre-k programs.
- Address issues of affordability, both for providers in a sustainable business model and for families in access to care.
- Support a robust career track in the field of early education, with development ladders from entry level to highly educated, credentialed, seasoned professionals.
- Cultivate a system that responds to the needs of families, such as those impacted by trauma, poverty and addiction.

Funding is allocated in grants to prioritize creating new early care and preschool classrooms to serve more children; implementing workforce development strategies to recruit and retain qualified teachers; supporting strategies for scaling up effective programs; and providing support services for children and families enrolled in early care and education.

II. **Procedure Statement:**

A. **Name and Office**

The Early Childhood Education and Development Committee (hereinafter, sometimes, the “Committee” or “Early Childhood Committee”) exists by virtue of Buncombe County Board of Commissioners Resolution #18-10-16.

B. **Membership**

The Committee shall consist of fifteen (15) members and shall be appointed by the Buncombe County Board of Commissioners upon application as follows:

- three (3) members of the Buncombe County Board of Commissioners;
- one (1) business community or economic development professional;
- one (1) funder or community investment professional;
- one (1) parent;
- one (1) pediatrician or medical professional in service to young children;
- one (1) professor or higher education professional;
- one (1) retiree from the field of early childhood education; and

- six (6) members of the public representing the community at large.

C. Terms

1. The Committee shall be appointed by the Buncombe County Board of Commissioners for terms of two (2) years beginning July 1 in the year of appointment.
2. Members shall serve staggered terms so that each year a portion of the seats are open for appointment. Provided, that in the appointment of the initial Committee, the Committee shall be divided into eight (8) two (2) year terms and seven (7) three (3) year terms Appointments for initial terms made prior to July 1 will end on June 30 two (2) years later.
3. No Committee member shall serve more than two (2) successive terms.
4. Any vacancy on the Committee regardless of how created shall be filled by appointment by the Board of Commissioners for the unexpired term of the vacant position.
5. The Buncombe County Board of Commissioners may remove any Committee member at any time for incapacity, unfitness, misconduct, or neglect of duty.
6. No Buncombe County appointee may serve on more than two county appointed boards, committees, or authorities unless exempted by nature of the position he or she may hold in governmental service.

D. Officers

1. Chair and Vice-Chair

The Committee members shall appoint a Chairperson and Vice-Chairperson from its membership by majority vote to serve a one (1) year term and until his or her successor is appointed by the Committee. Said appointments shall be made during the first regularly scheduled meeting of each fiscal year and shall take effect immediately upon the successful majority vote.

The Chair of the Committee shall preside at Committee meetings if he or she is present. If the Chair is absent, the Vice-Chair shall preside. If the Chair and Vice-Chair are both absent, another member of Committee designated by a majority vote of members present at the meeting shall preside.

The Presiding Member shall have the following powers:

- To facilitate an orderly meeting in accordance with the prepared agenda;
- To rule motions in or out of order, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
- To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- To call a brief recess at any time;
- To adjourn in an emergency.

2. Secretary

The Committee members shall appoint a Secretary from its membership by majority vote to serve a one (1) year term and until his or her successor is appointed by the Committee. Said appointments shall be made during the first regularly scheduled meeting of each fiscal year and shall take effect immediately upon the successful majority vote.

The secretary of the Committee shall provide oversight to County staff in preparing meeting agendas; keeping a true and accurate account of all proceedings of Committee meetings; issuing notices of all regular meetings and, on the authorization of the chairman; issuing the call for special meetings; maintaining the minutes and other records of the Committee; and notifying the county manager's office of any vacancies on the Committee.

E. Committee Meetings

1. Regular Schedules

- a) In accordance with North Carolina's open meetings laws, the schedule of regular meetings shall be filed with Clerk to the Buncombe County Board of Commissioners and shall be posted on Buncombe County's Website.

2. Special Meetings

- a) The Chairperson or three of the members of the Committee may at any time call a special meeting of the Committee by signing a written notice stating the time and place of the meeting and the subjects to be considered. The person or persons who call the meeting shall cause the notice to be mailed, emailed, or delivered to the Chairperson and all of the Committee members or left at the usual dwelling place of each member at least 48 hours before the meeting and shall cause a copy of the notice to be posted at the door of its usual meeting room and on the building in an area accessible to the public at least 48 hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or those who are not present have signed a written waiver.
- b) If a special meeting is called to deal with an emergency, the notice requirements of this rule do not apply. However, the person or persons who call an emergency special meeting shall take reasonable action to inform the other members and the public of the meeting. Only business connected with the emergency may be discussed at the meeting.

3. Agenda

The officers shall have administrative oversight in organizing and documenting meetings, to include but not limited to agendas, minutes, notices, etc. The Committee may by unanimous vote add an item that requires immediate action that is not on the agenda.

4. Public Comment

There shall be a public comment period at the end of every regular meeting limited to three minutes for any individual or representative addressing the Committee.

5. Quorum

A quorum shall be nine (9) members of the Committee. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members shall be counted as present for purposes of determining whether or not a quorum is present.

6. Voting

- No vote may be taken without a quorum being present.
- Upon good cause shown, and with the general consent of the members present, a member may make an appearance at a meeting by telephone or other electronic means and vote on any matter coming before the Committee at such meeting. Such appearance will count toward calculation of the necessary members present to constitute a quorum.

7. Minutes

The Secretary shall prepare minutes of each Committee meeting. Copies of the minutes shall be made available to each Committee member before the next regular Committee meeting. At each regular meeting, the Committee shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The public may obtain copies of Committee meeting minutes at the County Administration Building, 200 College St., Asheville, NC 28801. Said minutes will also be available on the website at www.buncombecounty.org

8. Absences

The attendance of Committee members is a priority and shall be recorded in the minutes. If an appointee misses four (4) consecutive meetings unexcused, or fails to attend at least 75 percent of the regularly scheduled meetings of a board, committee or authority within any twelve (12) month period, he or she is obligated to resign. If the individual refuses to resign, he or she may be dismissed by action of the Commissioners subject to State or local law.

F. Amendments to By-Laws

These By-Laws may be amended at any regular meeting or at any properly called special meeting that includes amendment of the By-Laws as one of the stated purposes of the meeting. A quorum must be present at the meeting at which amendments are discussed and approved, and any amendments must be approved by a majority of the members present at the meeting.

G. Other Procedural Matters

1. Action by the Committee

- a) The Committee shall proceed by motion. Any member, including the Chairperson, may make a motion.
- b) A motion requires a second, indicating to the chair that at least one other member

besides the person who stated the motion would like to have the motion considered.

- c) A member may make only one motion at a time.
 - d) A substantive motion is out of order while another substantive motion is pending.
 - e) A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.
 - f) The Chairperson shall state the motion and then open the floor to debate on it. The Chairperson shall preside over the debate according to these general principles:
 - i. The introducer (the member who makes the motion) is entitled to speak first;
 - ii. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 - iii. To the extent possible, the debate shall alternate between opponents and proponents of the measure.
2. In addition to substantive proposals, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.
3. In order of priority (if applicable), the procedural motions are:
- a) **To Adjourn.** The motion may be made at any time by a member of the Committee and would require majority vote.
 - b) **To Take a Recess.**
 - c) **Call to Follow the Agenda.** The motion must be made at the first reasonable opportunity or it is waived.
 - d) **To Suspend the Rules.** The motion requires a vote equal to a quorum.
 - e) **To Divide a Complex Motion and Consider It by Paragraph.**
 - f) **To Defer Consideration.** A substantive motion whose consideration has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.
 - g) **Call of the Previous Question.** The motion is not in order until every member of the Committee has had at least one opportunity to speak.
 - h) **To Postpone to a Certain Time or Day.**
 - i) **To Refer to a Committee.** Sixty days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Committee, regardless of whether the committee has reported the matter back to the Committee.
 - j) **To Amend.** An Amendment to a motion must be germane to the subject matter of the motion, but it may achieve the opposite effect of the motion. Any amendment to a proposed ordinance shall be reduced to writing on the call of any member, including the Chairperson.
 - k) **To Revive Consideration.** The motion is in order at any time (100 days) after a vote to defer consideration of it. A substantive motion on which consideration has been deferred expires (100 days) after the deferral, unless a motion to revive consideration is adopted.
 - l) **To Reconsider.** The motion must be made by a member who voted with the prevailing side. The motion must be made at the same meeting at which the original vote was taken. The motion cannot interrupt deliberation or a pending matter but is in order at any time

before adjournment.

m) To Rescind or Repeal.

n) To Ratify.

o) To Prevent Reconsideration for Six Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires a vote equal to a quorum and is valid for six months.

p) To Renew a Motion. A motion that is defeated may be renewed at any subsequent meeting unless a motion to prevent reconsideration has been adopted.

q) Withdrawal of a Motion. A motion may be withdrawn by the introducer at any time before a vote.

r) Duty to Vote. Once a meeting has been convened, every member, including the Chairperson, must vote unless excused by a majority vote of those members present. A member who wishes to be excused from voting shall so inform the Chairperson, who shall take a vote of the remaining members. The Committee may excuse a member from voting upon questions involving his or her own financial interest, his or her official conduct or on matters on which the member is prohibited from voting under N.C. Gen. Stat. § 14-234, and/or his or her own conflict of interest. The Committee may excuse a member from voting, but only upon questions involving his or her own financial interest or his or her official conduct or on matters on which the member is prohibited from voting under N.C. Gen. Stat. § 14-234. For purposes of this rule, the question of the compensation and allowances of members of the Committee does not involve a member's own financial interest or official conduct. Refusal to vote (without just cause) shall be recorded as an affirmative vote.

H. Compliance with North Carolina Law

In conducting its business, the Committee shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws setting forth the powers and duties of local Committees. To assist the Committee in compliance, the Secretary shall maintain a current copy of relevant North Carolina General Statutes and make them available to Committee members on request.

I. Conflict of Interest

Committee Members shall not vote on any matter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

The affiliation of any Committee Member to any applicant shall be reported and noted by staff for the information of other Committee Members and the public. Such Committee Member may recuse himself or herself from voting on a particular application or matter coming before the Committee and such recusal shall be reported in the minutes. If an objection is raised to a Committee Member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the Committee shall by majority vote rule on the objection.

III. Applicability and Exceptions: This procedure applies to current members of the Committee for

IV. Procedure Responsibility and Management:

- This procedure should be reviewed annually by the Committee and the County's legal department.
- New Committee members will receive a copy of the by-laws and review it as part of their orientation.

V. Reference to Robert's Rules of Order:

To the extent not provided for in these rules and to the extent that the reference does not conflict with the spirit of these rules, the Committee shall refer to Robert's Rules of Order for unresolved procedural questions.