

Buncombe County
Early Childhood Education and Development Committee
By-Laws – DRAFT June 2019

I. **Purpose:** 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.

II. **Procedure Statement:**

A. **Name and Office**

The Early Childhood Education and Development Committee (hereinafter, sometimes, the “Committee” or “Early Childhood Committee”). The 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. Provided, that in the appointment of the initial Committee, appointments will be made prior to July 1, and initial terms will end on June 30 two (2) years later.
2. No Committee member shall serve more than three (3) successive two (2) year terms.
3. Any vacancy on the Committee regardless of how created shall be filled by appointment of the Board of Commissioners for the unexpired term of the vacant position.
4. The Buncombe County Board of Commissioners may remove any Committee member at any time for incapacity, unfitness, misconduct, or neglect of duty.

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.

2. **Secretary**

A representative from the Buncombe County Manager's Office or Manager's designee shall be the secretary of the Committee. The secretary of the Committee shall have no voting privileges. The secretary of the Committee shall prepare meeting agendas; shall keep a true and accurate account of all proceedings of Committee meetings; shall issue notices of all regular meetings and, on the authorization of the chairman; shall issue the call for special meetings; shall maintain the minutes and other records of the Committee; and shall notify the county manager's office of any vacancies on the Committee.

E. Committee Meetings

1. Regular Schedules

- a) The Committee shall hold a regular meeting on the first Tuesday of the month at 2:30 p.m. The meeting shall be held at 200 College Street, Asheville, NC 28801.
- b) 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 Secretary shall have administrative oversight in preparing the agenda for the meeting. Any individual or group who wishes to have an item of business placed on the agenda shall make a request to be on the agenda to the Secretary no later than two (2) weeks prior to the next scheduled meeting. The request must be in writing and must state the nature of the matter so that the Secretary or appropriate staff will have an opportunity to respond to the area of concern. If appropriate, the Secretary will resolve the request and, if not, the Secretary will determine when the individual or group should be placed on the agenda. The time limit for any individual or representative addressing the Committee shall be five minutes, unless a majority of the Committee agrees to additional time. 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. Presiding Officer

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.

6. Quorum

A quorum shall be seven (7) 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.

7. 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 regular meeting by telephone and vote on any matter coming before the Committee at such meeting. Such appearance will not count toward calculation of the necessary members present to constitute a quorum.

8. 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

9. Absences

The attendance of Committee members shall be recorded in the minutes.

F. Amendments to Operating Procedures

These operating procedures may be amended at any regular meeting or at any properly called special meeting that includes amendment of the operating procedures 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 as 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, 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.

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

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.