



## **RULES OF PROCEDURE BELMONT ENVIRONMENTAL SUSTAINABILITY BOARD**

These Bylaws govern the function and operation of city of Belmont Environmental Sustainability Board.

### **ARTICLE I Establishment**

- 1-1 The Belmont Environmental Sustainability Advisory Board, having been created by the Belmont City Council, shall be hereafter referred to as the “Environmental Sustainability Board.”
- 1-2 The Environmental Sustainability Board shall be considered a “public body” and is subject to all rules and regulation for public bodies contained in North Carolina’s Open Meetings regulation (i.e., Law, G.S. 143-318.10 et seq.).

### **ARTICLE II Duties and Powers**

- 2-1 The General Purpose of the Environmental Sustainability Board is to serve as an advisory committee to the City Council regarding environmental sustainability issues such as tree protection and urban forestry, recycling, and energy use.
- 2-2 The Environmental Sustainability Board shall have the following charge and duties:
  - 1. Advise, deliberate and make recommendations to City Council on tree and urban forestry related matters, recycling, and energy use; and
  - 2. Assist in the development and implementation of any ordinances, policies or plans related to tree and urban forestry related matters, recycling, and energy use; and
  - 3. Assist in the community outreach and public education related to urban forestry and environmental protection related matters; and
  - 4. Assist in the planning of community events related to urban forestry and environmental protection.

### **H ARTICLE III Appointment and Terms**

- 3-1 The Environmental Sustainability Board shall consist of seven (7) members that have been duly appointed by the City Council. Of the seven members, the board shall consist of five (5) regular members, all of whom are residents of the City of Belmont, as well as two (2) student members who are preferably enrolled at South Point High School or Belmont Abbey College. An expert “ex-officio” may also be appointed by the City Council to serve only in an advisory role, and may not vote. All regular and student members may vote.
- 3-2 The term for each regular appointed member shall be three year terms. Said terms shall be staggered terms of one, two, and three years. The term for each student member shall be one year terms. An appointee of the Board shall not serve more than two (2) consecutive terms or a maximum of seven and a half (7.5) years if a member has filled an unexpired term.
- 3-3 If vacancy on the Environmental Sustainability Board occurs by reason of death, resignation, change of property ownership, City Council removal, or any other cause, the seat shall be filled by the City Council in an expeditious manner for the duration of the unexpired term.
- 3-4 City Clerk shall be responsible for maintaining a current list of Environmental Sustainability Board members, including the effective date of their appointment and the expiration date of their term. City Clerk shall keep the City Manager informed as to when any term is to expire, at least sixty (60) days prior to the expiration date.

### **ARTICLE IV Officers**

- 4-1 A Chairperson and Vice Chairperson shall be elected by the Environmental Sustainability Board members. Each officer shall serve for a one (1) year term, but may be elected by the Environmental Sustainability Board for successive terms to the same office. Annually, in the regular meeting of the Environmental Sustainability Board held in the month of March, a Chairperson and Vice-Chairperson shall be elected. Each officer shall serve for a one-year period.
- 4-2 The Chairperson shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Environmental Sustainability Board in session at the time. The Chairperson shall appoint any committees found necessary to investigate any matters before the Environmental Sustainability Board. The Vice-Chairperson shall serve as acting Chairperson in the absence of the Chairperson, and at such times he shall have the same powers and duties as the Chairperson.

- 4-3 In the event of the absence of both the Chairperson and the Vice-Chairperson from a committee meeting, the regular members present may elect a temporary Chairperson for that meeting and proceed with the order of business.

**ARTICLE V**  
**Secretarial**  
**Services**

- 5-1 The City Manager shall appoint a staff liaison(s) who shall perform all secretarial duties performed for the Environmental Sustainability Board. Said person (s) (hereafter referred to as the “Secretary”), is subject to the direction of the Chairperson, shall take minutes and keep all records. The Secretary shall keep in a permanent volume the minutes of every meeting of the Environmental Sustainability Board. These shall show the record of all important facts pertaining to each meeting and hearing for the Environmental Sustainability Board, and all votes of members of the Environmental Sustainability Board upon the final determination of any question, indicating the names of members absent. The Environmental Sustainability Board minutes shall be kept at the Belmont Planning and Zoning Department and shall be available for inspection during normal working hours.

**ARTICLE**  
**VI**  
**Rules of Conduct for**  
**Members**

- 6-1 Members of the Environmental Sustainability Board may be removed by the City Council for cause, including violation of the rules stated below herein.
- 6-2 In order for the Environmental Sustainability Board to carry out its duties and responsibilities, it is necessary for all members to attend meetings. If any member is absent for three (3) consecutive regular meetings or fails to attend thirty (30) percent or more of the regular and special meetings within a twelve-month period, such member may be removed by the City Council and a replacement made for the unexpired portion of the term. The Environmental Sustainability Board may make a recommendation to the City Council regarding removal of a member for duly cited causes. The removal request must be in writing and signed by the Chairperson of the Environmental Sustainability Board.
- 6-3 A member may be excused from voting on a particular issue by a majority vote of the remaining regular members present under the following circumstances:
1. If the member has a direct financial interest in the outcome of the matter at hand; or
  2. If the matter at hand involves the member's own official conduct; or

3. If the member has such close personal ties to the applicant that he cannot reasonably be expected to exercise sound and impartial judgment on behalf of the public's interest.
- 6-4 If a Environmental Sustainability Board member determines that he/she may have a conflict of interest on a particular issue, he/she shall declare the nature of such conflict and ask to be excused from voting on the issue related to such conflict. The remaining members, by majority vote, shall determine whether such conflict exists and whether said member may excuse himself/herself from further deliberations on said matter. If a member is excused from voting, he/she shall seat himself/herself in the audience and not participate in any further discussion on said matter or he/she shall remove himself /herself from the meeting room during all deliberation pertaining to such matter. In no instance may a member be excused from voting merely due to an unwillingness to vote on the issue at hand and where no conflict of interest is found to exist.
  - 6-5 A challenge to the existence of a conflict of interest or a challenge of an undisclosed conflict of interest may be filed by any interest party with the Environmental Sustainability Board. Such a challenge may be an appeal for a review of the findings of the Environmental Sustainability Board or may be for the purpose of alleging an undeclared conflict of interest. Any challenge made to the Environmental Sustainability Board shall be supported by competent evidence and shall be submitted at a properly convened meeting of the Environmental Sustainability Board. The Environmental Sustainability Board shall hear all evidence and shall, by majority vote of the remaining regular members, make the final determination as to the existence of a conflict of interest.
  - 6-6 In the event a Environmental Sustainability Board member is found to have a conflict of interest and is excused from voting by the Environmental Sustainability Board, he/she shall be replaced by an alternate member for that business associated with the conflict of interest.

## **ARTICLE VII Meetings**

- 7-1 Regular meetings of the Environmental Sustainability Board shall be held monthly.
- 7-2 Each member shall receive an agenda packet for each meeting by email, mail, or hand delivery at least forty-eight (48) hours prior to the meeting or earlier if time permits. An agenda notice shall be conspicuously placed at the Belmont City Hall Building at least forty-eight (48) hours prior to the meeting.
- 7-3 Special Meetings of the Environmental Sustainability Board may only be called by the Chairperson. At least forty-eight (48) hours notice of the time and place of special meetings shall be given, by the Secretary, to each member of the Environmental

Sustainability Board. Notice of such meeting shall also be conspicuously placed at the Belmont City Hall Building at least forty-eight (48) hours prior to the meeting.

- 7-4 Whenever there is no business to come before the Environmental Sustainability Board, or whenever so many members notify the secretary of their inability to attend that a quorum will not be available, the Chairperson may dispense with a regular meeting by having the Secretary give written or oral notice to all members prior to the time set for the meeting. Notice of meeting cancellations shall also be conspicuously posted at the Belmont City Hall Building and appropriate notification given to the press as required by North Carolina law.

### **ARTICLE VIII Quorum and Voting**

- 8-1 A quorum shall be a majority of those voting members attending each Environmental Sustainability Board meeting, providing that there are at least three (3) voting members present. A quorum of Environmental Sustainability Board shall be required before any vote is taken.
- 8-2 Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda.
- 8-3 No action taken at such a meeting shall be final or official unless and until the matter serving as the basis of the action is put before the Environmental Sustainability Board by a proper motion and a vote is taken thereon at a meeting where a quorum of the Environmental Sustainability Board is present.
- 8-4 Voting, at the discretion of the Chairperson, shall be by voice or show of hands. All matters to be voted on by the Environmental Sustainability Board shall be by a duly made motion and second.
- 8-5 All meetings shall be open to the public. The order of business at regular meetings shall generally be as follows:
1. Call to Order
  2. Approval of Minutes
  3. Business Items
  4. Discussion Items
  5. Adjournment
- 8-6 Items of business for discussion at the meeting shall appear on the agenda. Business which is not identified on the agenda may be considered only after approval of a

majority of a vote of the membership.

**ARTICLE IX Adoption  
of Amendments**

- 9-1 These rules shall at all times be consistent with all ordinances of the City of Belmont and laws of the State of North Carolina. Should any provisions of these rules be inconsistent with such ordinances or laws of the State of North Carolina, the municipal or state ordinances and laws shall prevail.