

RULES OF PROCEDURE
FOR MEETINGS OF
NORTH BRUNSWICK SANITARY DISTRICT

The following rules of procedure shall apply to all meetings of North Brunswick Sanitary District.

Rule 1. Meetings

(a) Annual, regular and special meetings of the Sanitary District shall be held at the posted times and pursuant to the procedures set forth in this document.

(b) Emergency Meetings. Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the board. Only business connected with the emergency may be considered at an emergency meeting. The Chairman, the Vice-Chairman, or any two members may at any time call an emergency meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the Chairman and each member or left at his or her usual dwelling place at least six hours before the meeting. The six hour notice shall not be required and the meeting may be held at anytime if all members are present and consent thereto or when those who are not present have signed a written waiver of notice.

(c) Public Notice of Meetings/Meetings Open to Public. The chief administrative officer shall provide public notice of meetings (including committee meetings) as required by NCGS 143-318.12. All meetings shall be open to the public unless the board is permitted by law to conduct a meeting in closed session. No action shall be taken by the board in closed session.

(d) Recessed or Adjourned Meetings. A properly called annual, regular, special, or emergency meeting may be recessed or adjourned to a time and place certain by a procedural motion made and adopted as provided in Rule 10, Motion 2, in open session during the annual, regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of a recessed or adjourned session of a properly called annual, regular, special, or emergency meeting.

Rule 2. Agenda

(a) Proposed Agenda. The chief administrative officer shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda for an annual or regular meeting must be received at least seven working days before the meeting. Any board member may, by a timely request, have an item placed on the proposed agenda of an annual or regular meeting. A copy of all proposed ordinances/resolutions shall be attached to the proposed agenda if available at the time of its mailing. Each board member shall receive a copy of the proposed agenda and the agenda shall be available for public inspection and distribution or copying when it is distributed to the board members.

(b) Adoption of the Agenda. The board may not consider items not on the agenda. As its first order of business at each meeting, the board shall discuss and revise the proposed agenda and adopt an agenda for the meeting. The board may by majority vote add items to or subtract items from the proposed agenda, except that (i) the board may not subtract items from the proposed agenda stated in the notice of a special meeting unless those calling the meeting consent to the deletion, (ii) the board may not add items to the proposed agenda stated in the notice of a special meeting unless all members are present, or those who are absent sign a written waiver of notice, and (iii) only business connected with the emergency may be considered at an emergency meeting. The board may add items to the proposed agenda of a special meeting only if it determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

The board may designate certain agenda items "for discussion and possible action". Such designation means that the board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

(c) Consent Agenda. The board may designate a part of the agenda as the "consent agenda". Items shall be placed on the consent agenda by those preparing the proposed agenda if they are judged to be non-controversial and routine. Any member may remove an item from the consent agenda and place it on the regular agenda while the agenda is being discussed and revised prior to its adoption at the beginning of the meeting. All items on the consent agenda shall be voted on and adopted by a single motion, with the minutes reflecting the motion and vote on each item.

Rule 3. Public Address to the Board

Any individual or group who wishes to address the board shall make a request to be on the agenda to the chief administrative officer. However, the board shall determine at the meeting whether it will hear the individual or group.

Rule 4. Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- Discussion and revision of the proposed agenda, adoption of an agenda
- Approval of the minutes
- Public comment
- Administrative/consultant reports
- Committee reports
- Old business
- New business

Informal discussion by board of items not on the agenda

By general consent of the board, items may be considered out of order.

Rule 5. Office of Chairman and Vice-Chairman

The Chairman shall preside at all meetings of the board and may vote in all cases. In order to address the board, a member must be recognized by the Chairman.

The Chairman or other presiding officer shall have the following powers:

- (a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- (b) 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;
- (c) To entertain and answer questions of parliamentary law or procedure;
- (d) To call a brief recess at any time;
- (e) To adjourn in an emergency;
- (f) To appoint committee members to committees which the board may establish from time to time.

A decision by the presiding officer under (a), (b), or (c) may be appealed to the board upon motion of any member, pursuant to Rule 10, Motion 1. Such a motion is in order immediately after a decision under (a), (b) or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.

The Vice-Chairman shall preside in the absence of the Chairman. If both the Chairman and Vice-Chairman are absent, the board shall select one of its members to preside.

Rule 6. Action by the Board/Motions

The board shall proceed by motion. Any member, including the Chairman, may make a motion. A motion shall require a second before it can be submitted to the board for consideration. A motion shall be adopted by a majority of the votes cast, a quorum being present. A majority of the actual membership of the board shall constitute a quorum.

Rule 7. One Motion at a Time

A member may make only one motion at a time.

Rule 8. Substantive Motions

A substantive motion is out of order while another substantive motion is pending.

Rule 9. Debate

The Chairman shall state the motion and then open the floor to debate on it. It is the favored practice of the board that a motion be made and seconded before debate commences. The Chairman shall preside over the debate according to the following general principles:

- (a) The maker of the motion is entitled to speak first;
- (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- (c) To the extent possible, the debate shall alternate between proponents and opponents of the measure.

Rule 10. Procedural Motions

In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board, as specified in these rules. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of board consideration of a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess or adjourn to a time and place certain shall also comply with the requirements of Rule 1.

Motion 3. To Take a Brief Recess. This motion is allowed only at the discretion of the presiding officer.

Motion 4. Call to Follow the Agenda. The motion must be made at the reasonable opportunity, or the right to make it is waived for the out-of-order in question.

Motion 5. To Suspend the Rules. The board may not suspend provisions of the rules that state requirements imposed by law on the board. For adoption, the motion requires a vote equal to two-thirds of the actual membership of the board, including vacant seats.

Motion 6. To Go into Closed Session. The board may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G. S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the board expects to receive advice during the closed session, if in fact such advice is to be received.

Motion 7. To Leave Closed Session.

Motion 8. To Divide a Complex Motion and consider it by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Motion 9. To Defer Consideration. The board may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending. A member who wishes to revisit the matter during that time must take action to revive consideration of the original motion [Rule 10, Motion 14], or else move to suspend the rules [Rule 10, Motion 5].

Motion 10. Motion for the Previous Question. The motion is not in order until there have been at least 20 minutes of debate, and every member has had an opportunity to speak once.

Motion 11. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules.

Motion 12. To Refer a Motion to a Committee. The board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported the matter to the board.

Motion 13. To Amend. (a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed ordinance or resolution shall be reduced to writing before the vote on the amendment.

Motion 14. To Revive Consideration. The board may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9. The motion is in order at any time within 100 days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

Motion 15. To Reconsider. The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the "nos" prevail) and at the meeting during which the original vote was taken, including any continuation of that meeting through recess or adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

Motion 16. to Rescind or Repeal. The board may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

Motion 17. To Prevent Reintroduction 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 for adoption a vote equal to two-thirds of the actual membership of the board and vacant seats. If adopted, the restriction imposed by the motion remains in effect for six months.

Rule 11. Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reintroduction has been adopted.

Rule 12. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.

Rule 13. Duty to Vote

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the presiding officer, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present in the board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

Rule 14. Public Hearings

A quorum of the board shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular board meeting without further advertisement.

The board may adopt special rules governing each public hearing. The rules may include, but are not limited to, rules (a) fixing the maximum time allotted to each speaker; (b) providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; (c) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the hall to

listen to the hearing; and (d) providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to board meetings shall also apply to public hearings; such a hearing is considered to be part of a regular or special meeting of the board. A public hearing for which any notices required by the open meetings law or other provisions of law have been given may be continued to a time and place certain without further advertisement.

At the time appointed for the hearing, the Chairman or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

Rule 15. Minutes

Minutes and general accounts of meetings, including closed sessions, shall be kept as required by NCGS 143-318.10(c).

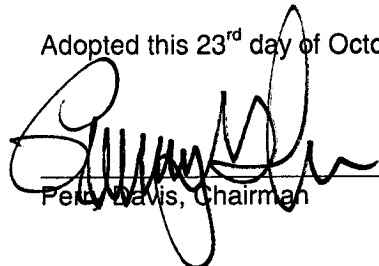
Rule 16. Amendment of the Rules


These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the Sanitary District's charter and general law. Adoption of an amendment shall require an affirmative vote equal to or greater than two-thirds of all the actual membership of the board.

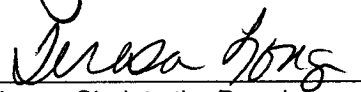
Rule 17. Robert's Rules of Order

Robert's Rules of Order Newly Revised, or other editions, shall not apply to procedural questions which may come before the Sanitary District. If a procedural question arises which in the opinion of the Sanitary District's general counsel is not addressed by these rules, then the board at its election, may by majority vote either (i) select a procedure or (ii) defer to the recommendation of the general counsel as to how to proceed.

Adopted this 23rd day of October 2007


Peter Davis, Chairman


Poe Butler, Secretary


Teresa Long, Clerk to the Board