

## **Rules of Procedure**

### **Oakboro Planning Board**

#### **Article I Planning Board**

- 1-1 The official name of the Planning Board shall be the Oakboro Planning and Zoning Board hereafter referred to as the “Planning Board.”

#### **Article II Objective and Purpose**

- 2-1 The primary objective of the Planning Board is to develop and maintain a continuing, cooperative planning program to benefit the people of the Town of Oakboro and its extraterritorial area.
- 2-2 The purposes of the Planning Board are:
- (a) To make studies of the Town and its extraterritorial areas.
  - (b) To determine objectives to be sought in the development of the areas under study;
  - (c) To prepare and adopt plans for achieving these objectives;
  - (d) To develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
  - (e) To keep the Town Board of Commissioners and the general public informed and advised as to these matters; and
  - (f) To perform any other related duties that the Town Board may direct.

#### **Article III Membership**

- 3-1 Members of the Planning Board shall be appointed by the Oakboro Board of Commissioners and Stanly County Board of Commissioners are designated terms. The Planning Board shall consist of five (5) members. Three (3) members shall be residents of the Town of Oakboro and appointed by the Oakboro Board of Commissioners. Two (2) members shall be residents of the extraterritorial area and appointed by the Stanly County Board of Commissioners.
- 3-2 If a vacancy occurs on the Planning board by reason of death, resignation, change of residence, or any other cause, it shall be filled by the Board of Commissioners appointment for duration of the unexpired term

**Article IV  
Election of Officers**

- 4-1 Annually, at the regular meeting of the Planning and Zoning Board held in the month of January, a Chairman, Vice-Chairman and Secretary shall be elected. These officers shall be elected for a term of one year and may be reelected for successive terms to the same office. Members shall be notified of the date, time and place of the election of officers, at least seven (7) days prior to the regular January meeting. Each officer shall serve until relieved of his duties as herein provided.
- 4-2 The Chairman shall preside at all meetings and hearings of the Planning Board, appoint all standing and temporary committees, and have the duties normally conferred on such office. The Chairman shall have the privilege of discussing all matters before the Planning Board.
- 4-3 In the event of the absence of both the Chairman and Vice-Chairman from a meeting of the Planning Board, the members present may elect a temporary Chairman for that meeting and proceed with the order of business.
- 4-4 The Planning Board may appoint from its membership a person(s) to serve as Secretary for the Planning Board. Said person(s) (herein referred to as the "Secretary") shall keep the minutes and records of the Planning Board, prepare with the Chairman the agenda for regular and special meetings, provide notice of meetings, attend to correspondence of the Planning Board and perform such other duties normally carried out by a Secretary.

**Article V  
Meetings**

- 5-1 Regular meetings of the Planning and Zoning Board shall be held on the second Tuesday of each month at 7:00 PM in the Oakboro Town Hall. Each member shall be notified of each regular meeting by the Secretary to the Planning Board.
- 5-2 Special meetings may be called only by the Chairman, provided that at least forty eight (48) hours notice of the time of such meeting shall be given to each member by the Secretary.
- 5-3 Three (3) members of the Planning Board shall constitute a quorum. A quorum shall be present before any business is transacted.
- 5-4 The Chairman shall decide all points of procedure unless otherwise directed by a majority of the Planning Board in session at the time.
- 5-5 All regular and special meetings of the Planning Board shall be open to the public. Public notice of all regular meetings shall be made by posting a Planning

Board agenda in a conspicuous location accessible to the general public within the Oakboro Town Hall at least seven (7) days prior to the meeting. The notice shall remain posted until the meeting has been concluded. Notice of all special meetings shall be posted in a similar manner in the Town Hall as soon as possible after the meeting has been called.

#### **Article VI Attendance**

- 6-1 In order for the Planning Board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. If any member is absent for two (2) consecutive regular meetings, the Chairman may direct the Secretary to notify such member in writing of his absences and if such member fails to attend the next regular meeting, the Planning Board, by a majority vote of the remaining members, may request that the position be vacated and that a replacement be made by the Board of Commissioners or Stanly County Board of Commissioners.

#### **Article VII Order of Business**

- 7-1 The order of business shall be as follows:
- (a) Determination of Quorum
  - (b) Approval of Previous Minutes
  - (c) Old Business
  - (d) New Business
  - (e) Adjournment
- 7-2 Items of business at the regular meeting shall appear on the agenda. Business which is not identified on the agenda may be considered only after approval by a majority of the Planning Board in session at the time.

#### **Article VIII Conflict of Interest**

- 8-1 No member of the Planning Board shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Board, which may result in a private benefit to themselves, their immediate relatives or their business interest. In applying this rule, the following procedure shall govern:

A Planning Board member who believes there may exist a conflict of interest shall declare his possible conflict, the nature of the conflict, and ask for a determination by the Board. A majority vote of the remaining Board members present shall determine whether or not a conflict of interest exists. Any Board member present who otherwise abstains from voting on a matter without having first been excused by the Board shall be declared to have voted "YEA" on such matter.

- 8-2 A challenge of the existence of a conflict of interest or a challenge of an undisclosed conflict of interest may be filed by any interested party with the Board. Such a challenge -may be an appeal for a review of the finding of the Board or may be for the purpose of alleging an undeclared conflict of interest. Any challenge made to the Board shall be supported by competent evidence and shall be submitted to a properly convened meeting of the Board. The Board shall hear all evidence and shall, by majority vote, make the final determination as to the existence of a conflict of interest.
- 8-3 Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of considerations because of the business or profession with which a member is associated.

### **Article IX Records**

- 9-1 The Secretary shall keep a record of the Planning Board's recommendations, transactions, findings and determinations. Said records shall be public and filed in the office of the Zoning Enforcement Officer of the Town of Oakboro.

### **Article X Action by Board**

- 10-1 All actions of the Planning Board shall have been put before the Planning Board members in the form of a motion, duly seconded, and voted upon by all unexcused members present for a quorum.
- 10-2 Voting on any issue shall be done by a show of hands or by voice. A quorum vote shall decide the issue.
- 10-3 All members of the Planning Board have the right to vote on all matters except as specified in Section 8-1:

### **Article XI**

These rules nay, within the limits allowed by law, be amended at any time by an affirmative vote of the majority of the Board, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted on 12/14/99

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Chairman

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Secretary