



**TOWN OF DAVIDSON
BOARD OF COMMISSIONERS
216 South Main Street, Davidson, NC 28036**

January 23, 2018

WORK SESSION - 4:00 PM

(Held in the Town Hall Meeting Room)

I. DISCUSSION ITEMS

- (a) Quarterly Department Overviews

II. CLOSED SESSION

- (a) Closed Session - § 143.318.11 (a) (3) to consult with attorney
-

REGULAR BOARD OF COMMISSIONERS MEETING - 6:00 PM

(Held in the Town Hall Meeting Room)

I. CALL TO ORDER

II. COMMISSIONER REPORTS

- (a) Commissioner Autumn Rierson Michael - Centralina Council of Governments
Commissioner Matthew Fort - Lake Norman Chamber
Commissioner Jim Fuller - Visit Lake Norman
Commissioner David Sitton - Lake Norman Regional Economic Development Organization & North Mecklenburg Alliance
Commissioner Jane Campbell - Charlotte Regional Transportation Planning Organization & Lake Norman Transportation Commission
Mayor Rusty Knox - Metropolitan Transportation Commission

III. ANNOUNCEMENTS

IV. DISCUSSION

- (a) Pre-Development Consultation re: Potential North Harbor Conditional Planning Amendment - Planning Director Jason Burdette
- (b) Finance Policy and Budget Overview - Finance Director Piet Swart

- (c) Quarterly Department Overviews Continued

V. OLD BUSINESS

- (a) Consider Approval of Rules of Procedure - Town Manager Jamie Justice

VI. SUMMARIZE MEETING ACTION ITEMS

VII. CLOSED SESSION

- (a) Continue Closed Session - § 143.318.11 (a) (3) to consult with attorney

VIII. ADJOURN



Agenda Title: Quarterly Department Overviews

Summary:

ATTACHMENTS:

Description	Upload Date	Type
📎 Quarterly_Department_Overviews - Jan 18	1/23/2018	Cover Memo

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Police

Department Head: Penny Dunn, Chief of Police

Department Overview:

A proactive agency delivering a high level of service and focused on building community partnerships to enhance our capabilities. Officers develop skills through training and experience starting as the initial on-scene investigator. Other duties and assignments include traffic enforcement, community engagement, criminal investigations, crime scene processing, member of regional SWAT, K-9, and lake enforcement. Davidson Police Department is proud to be a nationally accredited CALEA agency.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so we will treat all people equally, with courtesy and respect.*
- *Davidson must be a safe place to live, work, and raise a family, so we will work in partnership with the community to prevent crime.*
- The Davidson Police Department is committed to professionalism, ethics, accountability, and teamwork.
- CALEA standards

Staff: 21 sworn officers with 3 current vacancies

2 FT non-sworn staff members

3 PT non-sworn staff members

1 PT volunteer

Roles:

21 sworn officers with 3 current vacancies (All police functions listed in overview)

2 FT non-sworn staff members (1 records/accreditation manager and 1 receptionist/records clerk)

3 PT non-sworn staff members – 1 code enforcement officer and 2 crossing guards

1 PT volunteer – parking enforcement

Broad Responsibilities:

Public safety: Enforce criminal laws (statutes, traffic, and ordinances), investigate crimes, respond to emergencies, and proactively engage with the community in public safety endeavors.

Recent successes:

- Collaborative work with Davidson College on response to crimes on campus and investigations involving students.
- Developed and implemented new pedestrian and motor vehicle safety and enforcement initiatives.
- Recently, the capture of a suspect wanted out of state for armed robbery, a drug arrest (liquid methamphetamine) following a traffic stop, and protecting citizens conducting peaceful assembly events, vigils, and marches in Davidson.

Challenges (and timeframe for when these will be up for board discussion):

- Adequate supervisory staff (ongoing)
- Ability to attract and retain sworn personnel in current competitive market (ongoing)
- Meeting all needs of community with current level of staffing (budget process)
- Facilities (public facilities plan)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Davidson Fire Department

Department Head: Bo Fitzgerald, Fire Chief

Department Overview: The Davidson Fire Department is a combination full-time / part-time department that responds to fire and EMS emergencies in the Town of Davidson and its ETJ.

- Respond to approx. 1,500 calls per year, including fires, EMS, hazardous materials, rescue, and general service calls
- Currently staffs two fire companies at Station 1 (will move one to Station 2 when complete)
- Provides mutual and automatic aid to neighboring departments
- Provides a variety of fire prevention and public education programs

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- Our mission is to provide quick and effective emergency response to all locations within our response area, and to mitigate potential hazards through planning and prevention.

Staff: 54 Part-Time / 6 Full-Time / 20 Volunteer Student EMTs

Roles:

- Fire Chief (P/T) – Manage the day to day administration and operations of department
- Deputy Chief (P/T) – Report to Fire Chief; Manage operations, training, fleet, logistics
- Captain (P/T) – Report to Deputy Chief; Supervise one company
- Engineer (F/T) – Report to Captain; Responsible for upkeep and operation of apparatus
- Firefighter (P/T) – Perform EMS and firefighting duties as directed by the Captain
- Student EMT (Volunteer) – Respond to weekend emergencies on Davidson College Campus

Broad Responsibilities: See above

Recent successes:

- Planning and construction of Fire Station 2 for service to eastern part of Davidson
- Staffing of second company, and hiring of 6 full-time engineers
 - 3 full-time positions supplemented with \$350,000 SAFER Grant
- Addition of sleeping quarters at Fire Station 1

- Davidson College Student EMT Program

Challenges (and timeframe for when these will be up for board discussion):

- Staffing (budget)
- Station 1 facilities (public facilities plan)
- Accreditation / ISO rating

**DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION
EXECUTIVE SUMMARY**

Department Name: Affordable Housing Department

Department Head: Cindy Reid, Affordable Housing Manager

Department Overview: The Affordable Housing Department works with the Planning Department, developers, and low to moderate income purchasers to plan, build, and oversee the purchase or rental of affordable homes. The department also implements two down payment assistance programs, and manages the HOME Consortium and Community Development Block Grant (CDBG) programs.

Core values, guiding principles and/or guiding documents:

- *Vision: Davidson is a town that has long been committed to controlling its own destiny as a distinct, sustainable, and sovereign municipality. Our town's sense of community is rooted in citizens who respect each other; in racial and socioeconomic diversity; in pedestrian orientation; and in the presence of a liberal arts college. We believe our history and setting guide our future.*
- *Core value: Davidson's historic mix of people in all income levels and ages is fundamental to our community, so town government will encourage opportunities, services, and infrastructure that allow people of all means to live and work here.*

Staff: 2 PT

Roles: Cindy Reid - manager of program

Pam Allen - administrative assistant. Pam's duties include handling the down payment assistance closing documents. She prepares the documents for the lenders, for closing, and sends the package to the City of Charlotte for reimbursement of HOME funds.

Broad Responsibilities:

- Promote and develop a full spectrum of housing opportunities that meet the needs of the Davidson community
- Work with developers on implementation of ordinance requirements
- Help families become homeowners in Davidson
- Manage proactive efforts to form relationships with affordable housing developers and identify sites, especially town owned, that may be available and appropriate for affordable housing
- Craft policies and recommend tools to create a range of housing options for current and future residents

Recent successes:

- Bradford: 12 new homes, 11 of which have been sold to low-to-moderate income families who otherwise would not be able to afford to live in Davidson. The last one is under contract
- Bailey Springs: 15 new homes will be built over the next two years
- Completed a comprehensive housing needs assessment and strategy report
- Secured a \$60,000 grant for down payment assistance
- Assisted 15 families with down payment assistance

Challenges (and timeframe for when these will be up for board discussion):

- Limited availability of developable sites
- Limited resources for affordable housing
- Neighborhood opposition to affordable housing
- Payment-in-lieu option does not equal new homes in new developments

Affordable housing will be a topic at the retreat.

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION

EXECUTIVE SUMMARY

Department Name: Legal

Department Head: Cindy Reid, Town Attorney

Department Overview: Provide legal services and legal advice to the Davidson Board of Commissioners and town departments

Core values, guiding principles and/or guiding documents:

- North Carolina Rules of Professional Conduct
- North Carolina General Statutes
- United States Constitution
- Town of Davidson Charter

Staff: 2 -- 1 FT, 1 PT (12 hours per week)

Roles: Cindy Reid - Town Attorney duties

Pam Allen - administrative and paralegal duties

Broad Responsibilities: The Town Attorney performs a variety of legal duties including preparing and drafting ordinances, resolutions, contracts, leases, permits, memos and other documents. I receive and review claims and lawsuits against the town, manage and oversee litigation, serve as liaison between outside counsel and the town for specialized legal matters. The Town Attorney provides legal support and advice to departments, employees and officers of the town, attends board meetings, receives and responds to public inquiries and requests for information, and performs general legal research.

Recent successes:

- Provided legal advice for a variety of personnel issues,
- Navigated through dozens of substantial public records requests
- Provided ongoing legal advice to all departments, particularly the planning department
- Drafted a variety of legal documents
- Advised Davidson Board of Commissioners as to legality of decisions they were considering

Challenges (and timeframe for when these will be up for board discussion):

- Balancing the wishes of the board with limitations of state law (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Finance

Department Head: Piet Swart, Finance Director

Department Overview:

The Finance Department is responsible for establishing and maintaining an accounting and reporting system in accordance with NC General Statutes, federal laws and regulations, and generally accepted accounting principles. We manage all aspects of the town's finances to ensure financial stability and responsible stewardship, adhering to principles of integrity, quality, collaboration, and customer service. The IT services contract is also managed by the finance department.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so town government will treat all people fairly, with courtesy and respect.*
- *Open communication is essential to an engaged citizenry, so town government will seek and provide accurate, timely information and promote public discussion of important issues.*
- ***Citizens entrust town government with the stewardship of public funds, so government will provide high quality services at a reasonable cost.***
- *Davidson exists in proximity to and is interdependent with other jurisdictions, so we strive for local, regional, state and federal cooperation.*

- **Documents guiding our operations:**
 - North Carolina General Statutes - Section 159
 - Town of Davidson Finance Policy
 - Generally Accepted Accounting Principles (GAAP) as promulgated by the Governmental Accounting Standards Board (GASB)
 - "Governmental Accounting, Auditing, and Financial Reporting" (GAAFR) – Governmental Finance Officers Association (GFOA)
- **Documents produced:**
 - Monthly Financial Dashboard – Budget to Actual and Cash Summary
 - Budget Documentation
 - Comprehensive Annual Financial Report (CAFR)
 - Capital improvement Plan (CIP)

Staff: 2 FT, 1 PT

Roles: Piet Swart- Finance Director (FT)
Mary Jo Gardner – Accountant (FT)
Katherine Faust – Accounting Technician (PT)

Broad Responsibilities:

Payroll, general ledger accounting, accounts payable, accounts receivable, credit cards, banking, purchase order processing, financing, financial audit and debt management. We assist the budget officer (Town Manager) in the preparation of the annual budget and capital improvement plan (CIP). Finance directly prepares debt schedules and employee cost projections, and, coordinates departmental budget preparation with department heads. We develop and maintain the Long Term Financial Plan, and financial projections as requested.

We ensure all Local Government Commission and other state agency-required deliverables are submitted in a timely fashion. These include CAFR, TR-2, LGC 203, COLL-91, AFIR, Powell Bill financial reports, sales tax reimbursement, monthly debt payment confirmations, LGC debt applications, and escheated property submissions.

Recent successes:

- Expanded Financial Statement to a Comprehensive Annual Financial Report (CAFR) and submitted to the Government Finance Office Association (GFOA) for consideration for Certificate of Achievement for Excellence in Financial Reporting
- Developed long-term financial plan to assist the town in making decisions regarding capital projects and use of fund balance.

Challenges (and timeframe for when these will be up for board discussion):

- Providing for all the town's capital needs while ensuring financial strength (ongoing)
- Continued enhancement of the long-term financial model (ongoing)
- Continuum (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Planning Department

Department Head: Jason Burdette, Planning Director

Department Overview: The Planning Department works with both citizens and elected leaders to develop a long-term vision for Davidson. Land planning responsibilities vary in both the near-term (building permits, development projects) and long-term (land use policy, transportation network). In Davidson, the department's overarching charge is to manage growth in a manner that is sustainable but does not compromise the town's core values or planning principles.

Core values, guiding principles and/or guiding documents:

- *Davidson's traditional character is that of a small town, so land planning will reflect its historic patterns of village-centered growth, with connection of neighborhoods, preservation of rural areas, and provision of public spaces. (Core value #5)*
- Planning Principles,
- Comprehensive Plan,
- Davidson Planning Ordinance,
- Recently-adopted area plans (i.e. Rural Area Plan).

Staff: 5 FT: Jason Burdette, AICP; Trey Akers, AICP; Chad Hall, AICP; Travis Johnson, AICP and Lindsay Laird

Roles: All planners regularly field questions from citizens, meet with potential developers, and take ownership of specific sections in the Planning Ordinance Committee (i.e. Watershed, Laird). Senior Planners (Akers & Hall) manage specific development projects, perform technical reviews in coordination with Mecklenburg County, serve as staff liaisons to advisory boards (Planning Board & Design Review Board), among other tasks. Akers was the project manager for the Rural Area Plan. The Transportation Planner (Johnson) manages the department's GIS database, creates maps, and serves on various transportation-related intergovernmental bodies. Johnson is the project manager for the Davidson Mobility Plan. The Planning Technician (Laird) serves as the first point of contact for requests. She is in most direct contact with citizens, manages review schedules and deadlines, and reviews residential building permits (+/-30/month).

Broad Responsibilities: Jack of all trades. As planners, we're expected to be adept at a breadth of issues. These include citizen engagement, development, preservation, open space, transportation, affordable housing, long-range planning, and sustainability, to name a few. The planning principles touch on this with mentions of town character and sense of community,

historic downtown, alternative means of transportation, land use policy, environmental protection, growth management, quality of life, and the built environment.

Recent successes:

- Rural Area Plan adoption, implementation, and recognition.
- 80% grant funding for the upcoming Davidson Mobility Plan (\$100,000)
- Grant funding for transportation improvement projects (+/-1million; Robert Walker roundabout) (+/- \$700k Kincaid Trail extension)

Challenges (and timeframe for when these will be up for board discussion):

- Managing departmental workflow with increased development pressure and scrutiny
- Managing expectations for community engagement (*exploring changes to process*)
- Launching the Davidson Mobility Plan/Preparing for Comprehensive Plan (*retreat topic*)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Economic Development

Department Head: Kim Fleming, Economic Development Manager

Department Overview: Responsible for business retention, business attraction, small business & entrepreneurship, and tourism in the Town of Davidson.

Core Values, guiding principles and/or guiding documents:

- *Davidson's economic health is essential to its remaining a sustainable community, so town government will judiciously encourage and guide the location of new business opportunities.*
- Economic Development Strategic Plan
- Economic Development Strategic Work Plan 2022
- Cost of Land Use Fiscal Impact Analysis

Staff: 1 FT

Roles: Economic Development Manager; will also use PT contract event coordination help

Broad Responsibilities:

Business Retention & Expansion (BRE) – Help keep our businesses thriving in town, find space for needed expansion, job hiring assistance, sales growth assistance, marketing assistance.

Business Attraction – Introduce potential businesses to Davidson, match interested businesses with available real estate, job creation.

Small Business & Entrepreneurship (SBE) – Assist home-based businesses with networking opportunities, support local entrepreneurship efforts (Launch LKN, DFM), support business incubation efforts (The Hub @ Davidson).

Tourism – Manage the events that Davidson businesses started (Christmas in Davidson, Art on the Green, Gallery Crawls, Concerts on the Green, Halloween March) and new events that benefit Davidson businesses (Cookie Crumb Trail, Small Business Saturday, Shakespeare on the Green).

Staff liaison to Davidson Public Art Commission.

Recent Successes:

New business openings, occupancy rates, annual business summit

Challenges (and timeframe for when these will be up for board discussion):

- Increasing the commercial tax base (currently 18% commercial, 82% residential), (ongoing, retreat)
- Sustainable development (cost to serve), (ongoing)
- Downtown parking solution, (ongoing)
- Changes to the NC sales tax distribution (General Assembly controls) (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Public Information

Department Head: Cristina Shaul, Public Information Officer

Department Overview:

The public information officer communicates to the public through various types of media to share information on a broad range of town business, programs, activities, and services to foster open communication and encourage civic engagement. The public information officer works with management team to determine methods of communication and ensure that all work being done by town departments continues to enhance the town's mission, vision, and core values as set by the mayor and board of commissioners.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so town government will treat all people fairly, with courtesy and respect.*
- *Open communication is essential to an engaged citizenry, so town government will seek and provide accurate, timely information and promote public discussion of important issues.*

Staff: 1 FT (PIO), 1 shared part-time administrative assistant (12 hours /week)

Broad Responsibilities:

The public information department oversees all town communications. It produces the town's quarterly newsletter, maintains the town's website and online community calendar, produces and issues town press releases, maintains the town's social media sites (Facebook, Twitter, and Instagram), sends frequent eCrier emails with news and information, produces or reviews all other print and electronic communications for the town, manages emergency communications, and assists with town ceremonies and programs.

Recent successes:

Website redesign, Civics 101 & Reunion, Livestreaming meetings, video messages, use of social media, mobile app and SeeClickFix.

Challenges (and timeframe for when these will be up for board discussion):

- Reaching all 13,000 residents with information (retreat)
- Community engagement/encouraging all 13,000 residents to participate early in any process where we need input (retreat)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION

EXECUTIVE SUMMARY

Department Name: Public Works

Department Head: Doug Wright, Public Works and Projects Director

Department Overview: The Davidson Public Works Department provides a wide range of municipal services to residents of Davidson: Maintains parks and street rights-of-way, facilities, downtown, McEver field, parks, streets, sidewalks, trees, storm water, manages solid waste contract, projects, traffic congestion, utilities, development, signs, events, pedestrian safety, lighting, traffic calming

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- *Citizens entrust town government with the stewardship of public funds, so government will provide high quality services at a reasonable cost.*
- *Citizens need to move easily throughout the town and region, so government will provide a variety of options, such as sidewalks, bike paths, greenways, connected streets, and transit.*
- *Citizens must live in a healthy environment, so town government will protect watersheds, trees, air quality, and other elements of the town's ecology.*
- Walks and Rolls Active Transportation Plan

Staff: 11 FT

Roles: Director, Operations Supervisor; 0.75 FT McEver; 0.75 FT downtown maintenance; 4 FT streets, 3 FT landscape

Broad Responsibilities: See "Overview" (above)

Recent successes:

- Winter tree pruning & planting
- Christmas in Davidson
- Resurfacing
- Davidson Elementary School stream restoration grant
- Snow removal

Challenges (and timeframe for when these will be up for board discussion):

- Streets development ordinance (by the end of FY18)
- Sidewalk projects (FY18&19)
- Contracting work environment (budget process)
- Hiring environment (ongoing)
- Solid waste contract (budget process)
- Development environment (ongoing)
- Facility (ongoing discussion)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Parks & Recreation

Department Head: Kathryn Spatz, Parks and Recreation Director

Department Overview: The Town of Davidson parks, public places, natural areas, and recreational opportunities give life and beauty to our community. These essential elements create community, connecting people to place, self and others. Davidson residents will nurture and care for this legacy, building on the past to provide for future generations.

Core values, guiding principles and/or guiding documents:

- *The physical, social, and intellectual wellbeing of Davidson citizens is fundamental to our community, so town government will provide and encourage enjoyable, safe, and affordable recreational and cultural lifelong learning opportunities.*
- *Citizens need to move easily throughout the town and region, so government will provide a variety of options, such as sidewalks, bike paths, greenways, connected streets, and transit.*
- Parks and Recreation Master Plan
- Walks and Rides Active Transportation Master Plan

Staff: 3 FT, 1 PT, 16 seasonal/temporary for sports, watercraft rental program, special events, etc., and to drive bus.

Roles: Director, 3 Recreation Program Managers, several program assistants, bus drivers

Broad Responsibilities:

- Work with citizens to develop facilities, sites, and activities desired by community for leisure needs.
- Offer wide variety of cultural, wellness, athletic, and recreation programs and activities for residents.
- Partner with local non-profits and businesses to expand activities to community at low or no cost.
- Act as point of contact for all outdoor special event applications.

Recent successes:

- Water Access at Lake Davidson Nature Preserve:
 - Doubled watercraft rack storage spaces to meet resident demand for year-round kayak/paddleboard storage (maxed out @ 132)
 - Initiated weekend kayak, paddleboard, canoe rental program for residents who don't otherwise have access to lake, 98% watercraft rented; program staffed by resident youth

- Greenway in Fisher Farm/Abersham mostly complete: we have been able to keep most of the park open to users through the project, which has only been possible through partnership with the contractor and county
- Park at Bailey Springs plan: will include active, improved elements that neighbors and Livability Board agree are appropriate for the site. Currently bidding Phase I of project (closes January 30).
- North Meck Recreation Center design and construction funding included in county BOC adopted budget.

Challenges (and timeframe for when these will be up for board discussion):

- Securing indoor programming space, particularly gym, once we can no longer leverage town's outdoor space via joint use agreement (this is P&R's biggest long-term challenge), (CIP/bond discussions)
- Finding appropriate locations for active recreation opportunities in town (CIP/bond discussions)
- Finding balance between completing greenway connections and respecting all property owner interests (CIP/bond discussions)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Human Resources

Department Head: Heather James, Human Resources Manager

Department Overview:

Human Resources is a relatively new department for the town; previously this role was shared with the Town Clerk position. In 2016, the board allocated funds to separate the roles. Davidson believes that employee feedback is essential to a successful workforce. We have found that employees choose to work for Davidson over other municipal governments due to the progressive culture, transparency, and the ability to think differently in departmental functions.

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- Personnel Policy signed by Town Manager on October 27, 2017
- FLSA, EEOC, DOL, OSHA and public employment law cases

Staff: 1 FT **Role:** Human Resources Manager

Broad Responsibilities:

Human Resources is responsible for a variety of functions including: employee benefits, risk management (general liability and workers compensation claims), recruitment and selection, performance review, safety training, position classification, and compensation plans.

Recent successes:

- Update of personnel policy completed October 27, 2017
- Successful recruitment of Police Chief Penny Dunn
- Supporting role to fire department for hiring the town's first full-time engineers
- Departmental-wide safety training program
- Supported departments with the hiring of approximately 20 employees (full-time and part-time)
- Enhancement of wellness initiatives for employees

Challenges (and timeframe for when these will be up for board discussion):

- Recruitment of police officers (budget process)
- Space needs for better productivity (public facilities update)
- Proper staffing, competitive salary and benefits (budget process)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Manager's office - Administration

Department Head: Jamie Justice, Town Manager

Department Overview: Implement board policies under council-manager form of government, main conduit between board and staff, departmental oversight

Core values, guiding principles and/or guiding documents:

- Town of Davidson Vision, Mission, and Values statement
- Game Plan
- Comprehensive Plan
- NC General Statutes

Staff: 3 FT

Roles: Jamie Justice, Town Manager
Dawn Blobaum, Assistant Town Manager
Carmen Clemsic, Town Clerk

Broad Responsibilities:

Board of Commissioners communication and support; agenda forecasting
Board of Commissioners meeting agendas, minutes, resolutions
Department oversight: JJ – Finance, HR, Legal, Parks and Recreation, Public Works
DB – Police, Fire, Planning, Communications, Economic Development
Governing, Administration, and Non-Departmental Budgets
Public Records requests
Special projects
Regional cooperative efforts and representation, i.e. LNEDEC, LNTC
Advisory Board nomination and non-profit grant processes
Retreat planning

Recent successes:

- 2016-2017 Game Plan implementation
- Staff team building, morale, retention

Challenges (and timeframe for when these will be up for board discussion):

- Public records management (New technology proposed for FY19 budget)
- New board's strategic plan (Create 3Q FY18; implement over two years)
- Citizens' perception of local government (Ongoing work)
- Service delivery to citizens as we grow (staffing, facilities), (Ongoing discussions)
- Continuum (Ongoing work to build self-sustaining company and decide future direction)



Agenda Title: Pre-Development Consultation re: Potential North Harbor Conditional Planning Amendment - Planning Director Jason Burdette

Summary: The owners of North Harbor Club would like to expand their kitchen and convert the second story into a banquet space. The restaurant is located in a Special Use Permit District (SUP) c. 1983. Any changes to the SUP require a rezoning. Staff offers a pre-development consultation with the Board of Commissioners for potential conditional rezonings and plan amendments.

ATTACHMENTS:

Description	Upload Date	Type
❑ Optional Pre-Development Consultation Info	1/18/2018	Cover Memo
❑ Aerial Photo	1/18/2018	Backup Material
❑ Summary of Proposed Concept	1/19/2018	Backup Material
❑ Proposed Plans	1/18/2018	Backup Material



Optional Pre-Development Consultation with Board of Commissioners

The Town of Davidson now offers to those considering conditional rezonings or conventional rezonings an optional pre-development consultation (PDC) before the Town of Davidson Board of Commissioners. This optional process is purely at the request of an applicant, developer, land owner, or any individual interested in pursuing a project that may require a rezoning or other formal review by the Board of Commissioners. Pre-development consultation is not a replacement for rezoning, but rather an informal opportunity to meet with the Board to discuss a potential project prior to submission of a rezoning request and/or expending significant funds for design work. The Board of Commissioners will be available for pre-development consultations as part of their fourth Tuesday work session meeting.

Procedure for Requesting a Pre-Development Consultation

- Requests for pre-development consultation must be received at least 21 days prior to the scheduled meeting of the Board of Commissioners.
- The request should be accompanied by a development description or draft site plan.
- Planning Staff will review the proposal and prepare a summary of the concept to determine consistency with the Davidson Planning Ordinance and any other applicable plan. This is not a replacement for a staff analysis, which would come later in the process.
- The Board of Commissioners will provide feedback; however, no decisions will be made.
- Please note that the meeting is a public meeting and thus subject to North Carolina open meetings law. Minutes will be taken.

If you would like to schedule a pre-development consultation, please contact the planning department at 704-892-7592 or planning@townofdavidson.org.

Polaris 3G Map – Mecklenburg County, North Carolina

North Harbor Club Site

Date Printed: 1/18/2018 3:15:10 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

**TOWN OF DAVIDSON
PRE-DEVELOPMENT CONSULTATION
SUMMARY OF PROPOSED CONCEPT**

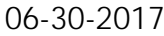
SUMMARY OF PETITION

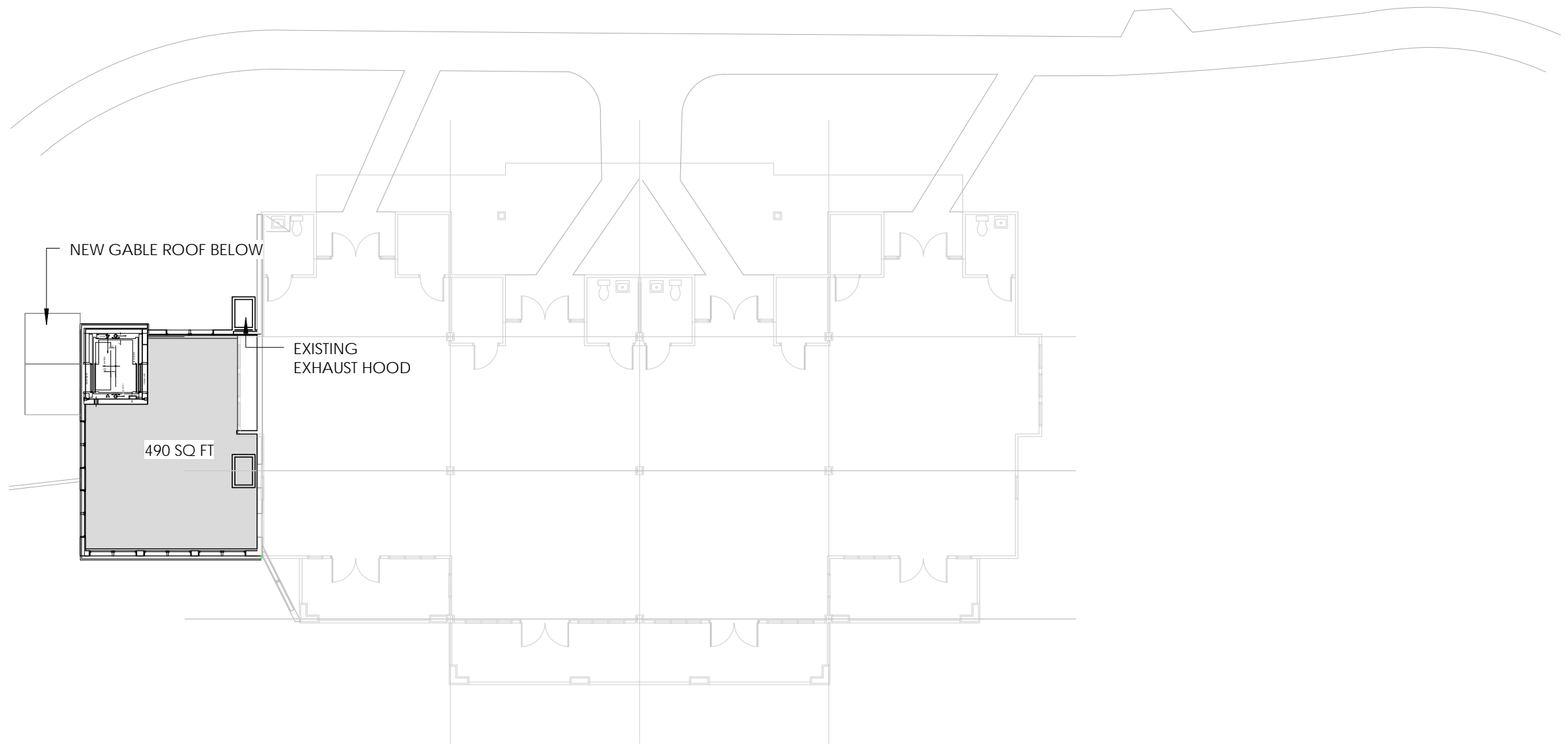
This Conditional Planning Area map amendment proposes to re-designate a 0.89 acre parcel located at 100 North Harbor Place Dr. (Parcel ID 00118397) from Special Use to Conditional Planning Area. This parcel is currently part of a Special Use Permit (SUP) granted on May 18, 1983. The existing property owner would like to make improvements to the North Harbor Club restaurant which differ from the plans and specifications submitted with the original Special Use Permit. Per the DPO, any change to a SUP requires a rezoning.

The existing building at 100 North Harbor Place Dr. is two stories with the North Harbor Club restaurant on the first floor and offices on the second floor. The property owner would like to renovate the second floor of the building for a banquet hall. Additionally, the property owner would like to expand the kitchen by approximately 560 sq. ft. on the first floor and 490 sq. ft. on the second floor to accommodate the new banquet hall space.

CONSISTENCY WITH DPO AND OTHER PLANS

Staff has yet to receive an application and review the proposal. However, the proposed plan appears to be consistent with (a) the Davidson Comprehensive Plan, as adopted by the Board of Commissioners and amended from time to time; and, (b) all other officially adopted plans and the Planning Ordinance.



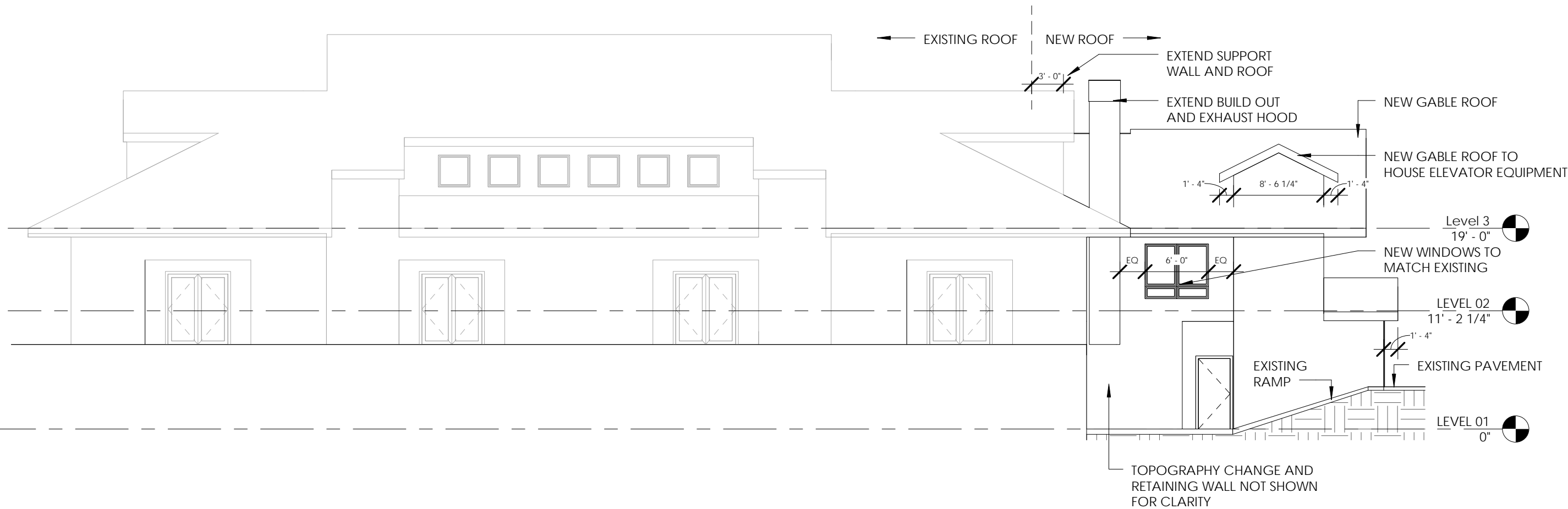


06-30-2017



UPPER LEVEL

NORTH HARBOR CLUB

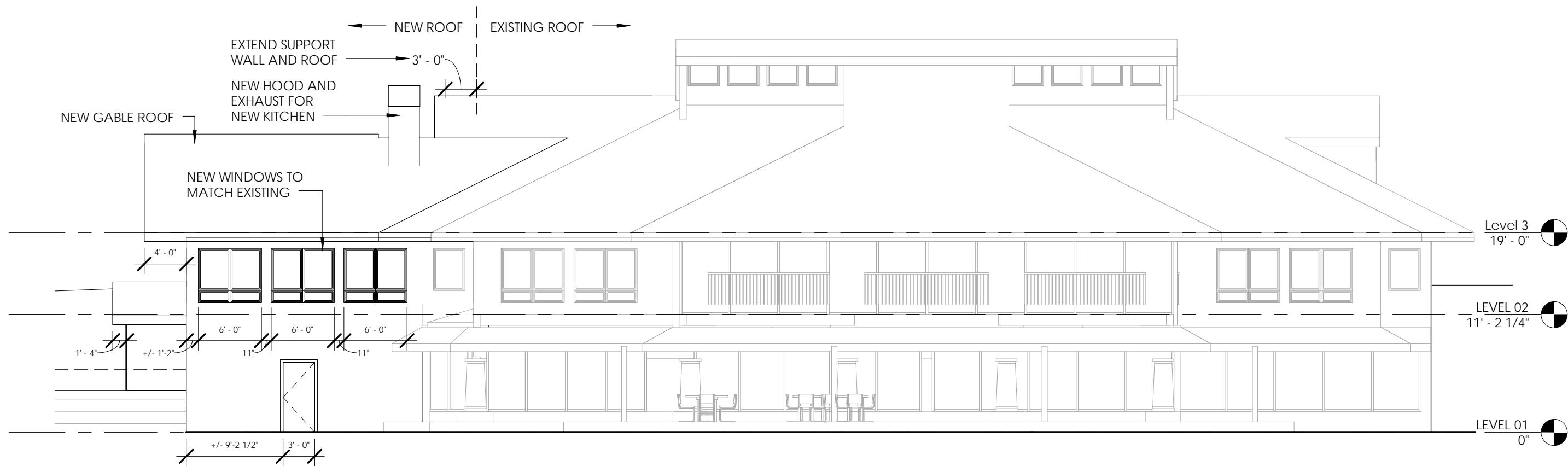


1 NORTH
1" = 10'-0"

06-30-2017



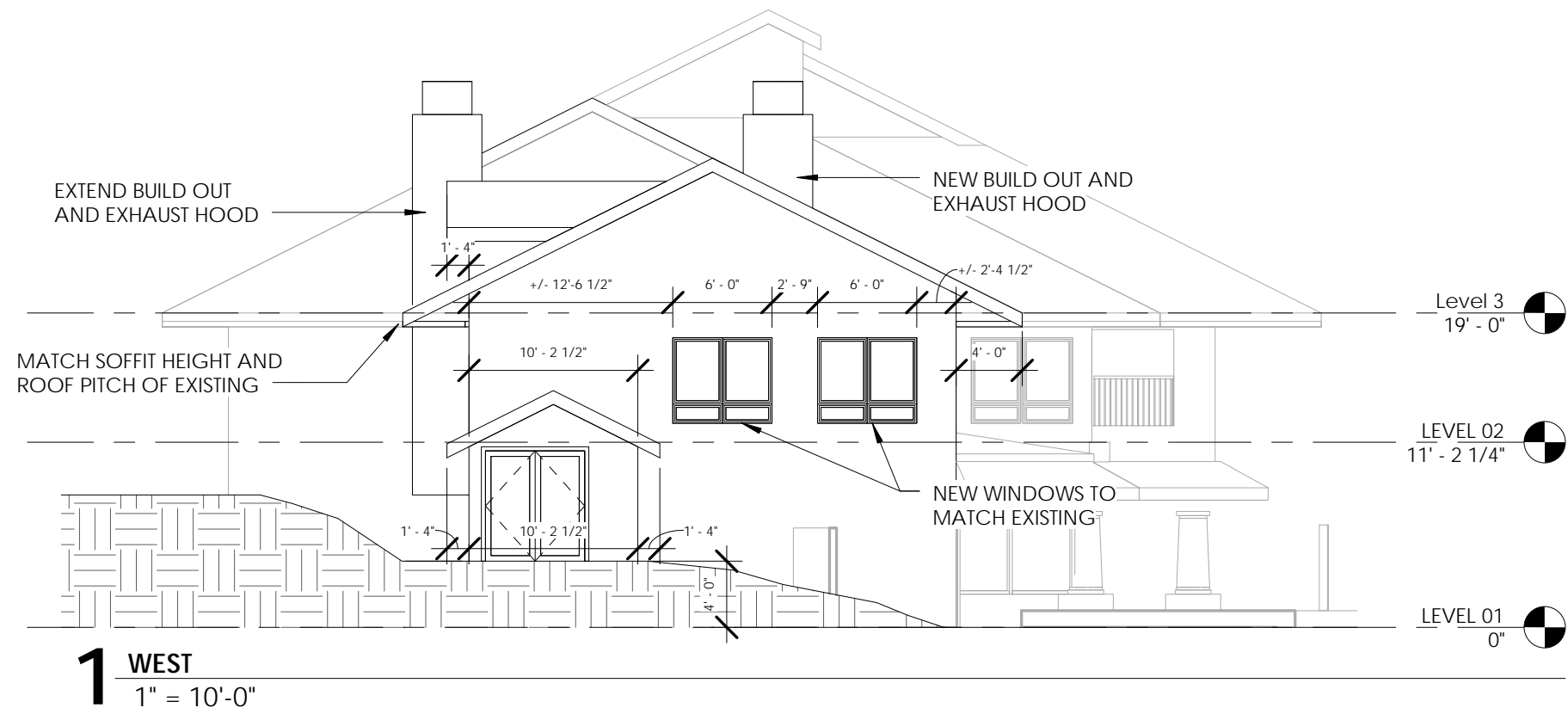
NORTH HARBOR CLUB



1 SOUTH
1" = 10'-0"

06-30-2017





06-30-2017



NORTH HARBOR CLUB



Agenda Title: Finance Policy and Budget Overview - Finance Director Piet Swart

Summary: Review of finance policy and North Carolina General Statute Section 159, FY 19 budget development and approval process and monthly financial dashboard.

ATTACHMENTS:

Description	Upload Date	Type
☐ Finance Department Overview	1/19/2018	Presentation
☐ Board Meeting Budget Schedule FY 2018-19	1/23/2018	Cover Memo
☐ Davidson Financial Policy revised Jan 2017	1/23/2018	Cover Memo



The Town *of* Davidson

College Town. Lake Town. *Your Town.*

Finance Policy and Budget Overview



College Town. Lake Town. *Your Town.*

Finance Department
January 23, 2018

Presentation Overview

- Finance Policy
- NCGS Section 159
- Local Government Commission
- Monthly Dashboard
- Budget Development and Approval Process

Finance Policy

- Budget Development
- Capital Improvement Plan
- Fund Balance
- Cash Management and Investment
- Debt Policy

North Carolina General Statutes - Section 159

- Also known as the Local Government Budget and Fiscal Control Act (LGBFCA)
- Revenues/Taxes
- Budgeting for Operating and Capital Expenditures
- Financing Capital Projects

North Carolina General Statutes - Section 159

LGBFCA(continued)

- Accounting, Fiscal Control, and Cash Management
 - Accounting System
 - Control of Expenditures
 - Pre-Audit
 - Disbursements
 - Cash Management
 - Daily Deposit
 - Official Depository Approved by the Board
- Annual Audit/CAFR

Local Government Commission

Financial Reporting

- Annual Audit
 - Contract with auditors is with Board not staff
 - LGC approves contract, statements and invoices
- Provide ongoing proper presentation guidance

Local Government Commission

Debt

- G.O. Bond Approval and Issuance
- Approve all non-vehicle debt over \$500,000 or 5-years
- Town Board approves all debt financing agreements

Monthly Dashboard

- Overview
- December 31, 2017 Dashboard
- Outlook



Monthly Dashboard

- The major components of the dashboard are:

1. Cash Balances for each fund

OUR CASH AND INVESTMENTS		
<i>Balances on December 31, 2016 in whole dollars</i>		
CASH & INVESTMENTS BY FUND		
GENERAL FUND		
	Dec 2016	Dec 2017
Operating	\$ 9,400,240	\$ 9,178,987
Powell Bill	826,490	384,079
TOTAL GENERAL FUND	\$ 10,226,730	\$ 9,563,066
OTHER FUNDS		
	Dec 2016	Dec 2017
Arts & Science Project	\$ 60,389	\$ 103,804
Fire Station Project	1,836,170	362,222
MI-Connection Cap Proj	1,000,000	1,000,000
Bradford Streets Project	50,638	N/A
Potts-Sloan-Beaty	121,735	102,800
Parks/Greenway Project	53,835	149,658
Solid Waste Fund	461,681	540,066
Storm Water Fund	97,645	190,283
Affordable Housing	189,310	869,371
Public Fac. Project Fund	N/A	969,872
TOTAL OTHER FUNDS	\$ 3,871,403	\$ 4,288,076
TOTAL CASH & INVESTMENTS TOWN-WIDE		
	Dec 2016	Dec 2017
ALL FUNDS	\$ 14,098,133	\$ 13,851,142



Monthly Dashboard

- The major components of the dashboard are:
 - Actual revenues and expenditures by major fund

OUR CASH FLOWS...				
			Comparison of FYTD %	
GENERAL FUND REVENUES & EXPENDITURES			Prior FYTD %	Current FYTD %
Fiscal Year Budget			\$ 11,091,396	\$ 13,933,563
Revenues Fiscal Year to Date	\$ 7,508,391		59.80%	53.89%
Expenses Fiscal Year to Date	\$ 6,208,255		49.17%	44.56%
POWELL BILL FUNDS				
Fiscal Year Budget			\$ 318,323	\$ 1,125,000
Revenues Fiscal Year to Date	\$ 332,212		102.22%	29.53%
Expenses Fiscal Year to Date	\$ 761,209		0.00%	67.66%
STORM WATER FUND				
Fiscal Year Budget			\$ 446,606	\$ 256,323
Revenues Fiscal Year to Date	\$ 106,693		74.65%	41.62%
Expenses Fiscal Year to Date	\$ 34,188		64.81%	13.34%
SOLID WASTE FUND				
Fiscal Year Budget			\$ 760,712	\$ 746,520
Revenues Fiscal Year to Date	\$ 648,676		79.65%	86.89%
Expenses Fiscal Year to Date	\$ 362,864		47.20%	48.61%
AFFORDABLE HOUSING FUND				
Fiscal Year Budget			\$ 134,226	\$ 221,305
Revenues Fiscal Year to Date	\$ 782,927		0.00%	353.78%
Expenses Fiscal Year to Date	\$ 51,673		34.18%	23.35%



Monthly Dashboard

- The major components of the dashboard are:

3. Actual revenue collection by source

SPECIFIC REVENUE COLLECTIONS AT A GLANCE...			
		Comparison of FY %	
		Prior	Current
		FY %	FY %
AD VALOREM PROPERTY TAX			
Fiscal Year Budget		\$ 6,052,275	\$ 6,242,777
Revenues this Month	\$ 953,575	42.27%	15.27%
Revenues FYTD	\$ 4,787,970	77.58%	76.70%
SALES & USE TAX			
Fiscal Year Budget		\$ 1,662,000	\$ 1,751,000
Revenues this Month	\$ 157,132	8.44%	8.97%
Revenues FYTD	\$ 616,272	33.79%	35.20%
UTILITY FRANCHISE TAXES			
Fiscal Year Budget		\$ 875,000	\$ 903,615
Revenues this Month	\$ 308,083	28.76%	34.09%
Revenues FYTD	\$ 489,394	52.52%	54.16%
MOTOR VEHICLE TAXES & FEES			
Fiscal Year Budget		\$ 658,035	\$ 684,875
Revenues this Month	\$ 52,757	7.43%	7.70%
Revenues FYTD	\$ 301,379	45.84%	44.01%
PREP'D FOODS/OCCUPANCY TAXES			
Fiscal Year Budget		\$ 422,000	\$ 422,000
Revenues this Month	\$ -	3.64%	0.00%
Revenues FYTD	\$ 195,125	55.54%	46.24%
STORM WATER FEES			
Fiscal Year Budget		\$ 218,000	\$ 218,000
Revenues this Month		3.18%	0.00%
Revenues FYTD	\$ 106,693	50.81%	48.94%
SOLID WASTE FEES			
Fiscal Year Budget		\$ 746,520	\$ 746,520
Revenues this Month	\$ 99,221	44.33%	13.29%
Revenues FYTD	\$ 648,676	81.16%	86.89%



Monthly Dashboard

- The major components of the dashboard are:
- Budget to Actual by department

EXPENDITURES AT A GLANCE...			
GENERAL FUND DEPARTMENTS	Comparison of Monthly Expenses		
	FY 2018 Budget	YTD Expenses	
		Prior FY	Current FY
Governing Body	\$ 117,365	\$ 58,800	\$ 65,651
Administration	1,010,219	435,042	454,771
Legal	152,286	52,783	66,214
Buildings & Grounds	1,226,000	147,082	176,439
Police Dept	2,423,201	914,071	1,062,611
Fire Dept	2,203,689	618,266	1,092,937
Streets	2,037,323	919,256	1,005,766
Planning	612,000	188,159	211,316
Economic Development	264,701	153,162	68,043
Travel & Tourism	415,212	236,526	288,795
Recreation	820,001	200,884	242,471
Parks	972,657	372,285	318,335
Non-Departmental	378,910	156,972	154,907
MI-Connection/Capital Proj	1,300,000	1,000,000	1,000,000
	\$ 13,933,563	\$ 5,453,287	\$ 6,208,255
Fiscal Year Budget		\$ 11,091,396	\$ 13,933,563
YTD % of Annual Budget Expended		49.17%	44.56%
POWELL BILL			
Street Improvements/Paving	\$ 1,125,000	\$ -	\$ 761,209
Debt Service	-	-	-
	\$ 1,125,000	\$ -	\$ 761,209
Fiscal Year Budget		\$ 318,323	\$ 1,125,000
YTD % of Annual Budget Expended		0.00%	67.66%



Monthly Dashboard

- The major components of the dashboard are:

5. A revenue and Expenditure summary for each special revenue and capital project fund

Project and Capital Project Funds

MI-Connection Capital Project			
Cash on Hand, July 1, 2017	\$	1,000,000	
FY 2018 Revenues YTD		1,000,000	Tfr from General Fund
FY 2018 Expenditures YTD		(1,000,000)	Payment to Mi-Connection (per interlocal agreement)
Cash on Hand, December 31, 2017	\$	1,000,000	
Parks/Greenway Capital Project			
Cash on Hand, July 1, 2017	\$	158,603	
FY 2018 Revenues YTD		10,000	Town contribution
FY 2018 Expenditures YTD		(18,946)	
Cash on Hand, December 31, 2017	\$	149,658	
Potts-Sloan-Beaty Corridor Improvements			
Cash on Hand, July 1, 2017	\$	116,350	Funds for design
FY 2018 Revenues YTD			
FY 2018 Expenditures YTD		(13,550)	
Cash on Hand, December 31, 2017	\$	102,800	
Public Art Project			
Cash on Hand, July 1, 2017	\$	61,104	
FY 2018 Revenues YTD		42,700	ASC Grant/Town Contribution
FY 2018 Expenditures YTD			
Cash on Hand, December 31, 2017	\$	103,804	
Fire Station Capital Project			
Cash on Hand, July 1, 2017	\$	1,122,352	
FY 2018 Revenues YTD		50,000	
FY 2018 Expenditures YTD		(810,129)	
Cash on Hand, December 31, 2017	\$	362,222	
Public Facilities Capital Project Fund			
Cash on Hand, July 1, 2017	\$	230,474	
FY 2018 Revenues YTD		925,000	From GF on Reimbursement Resolution
FY 2018 Expenditures YTD		(185,602)	
Cash on Hand, December 31, 2017	\$	969,872	



Budget Development and Approval Process

- Retreat
- Base Budget
- Needs List
- Board Review
- Public Hearing
- Approval of Budget Ordinance, Fee Schedule and CIP
- Budget Ordinance Amendments

Questions



College Town. Lake Town. *Your Town.*

Finance Department
January 23, 2018

TOWN OF DAVIDSON
BOARD MEETING BUDGET SCHEDULE
FY 2018/19 BUDGET

Day	Date	Action	Meeting
Friday	Apr 13	Send tentative budget and CIP to Mayor and Board	-
Tuesday	Apr 24	Mayor and Board review tentative budget and CIP	Work session
Tuesday	May 8	Budget Public Hearing	Regular meeting
Tuesday	May 22	Budget discussion if needed	Work session
Tuesday	June 12	Discuss Budget during regular Board Meeting (if needed); adopt budget	Regular meeting

Town of Davidson

Finance Policy

Fiscal Policy Guidelines – Objectives

This fiscal policy is a statement of the guidelines and goals that influence and guide the financial management practice of the Town of Davidson, North Carolina. A fiscal policy that is adopted, adhered to, and regularly reviewed is recognized as the cornerstone of sound financial management. Effective fiscal policy:

- Promotes long-term financial stability by establishing clear and consistent guidelines,
- Preserves the town's ability to meet future needs while giving Town leaders a framework for balancing increased service demands and financial position,
- Promotes linking long-range financial planning with day to day operations,
- Provides the Board of Commissioners, citizens and management a framework for measuring the fiscal impact of government services against established fiscal parameters and guidelines.
- The Town Manager will report to the Board as to the compliance/performance of the Town with regard to this policy, at least annually, concurrent with the presentation of the budget, CIP, or audit report, as is appropriate.

To meet these objectives, the following fiscal policy statements are presented.

BUDGET DEVELOPMENT POLICIES

1. Each year the Town will develop the operating budget in conjunction with strategic goals established at annual Board retreats as well as stated programs of performance objectives and measures to gauge progress toward meeting those objectives.
2. The Town Manager serves as the budget officer.
3. One-time or special revenues will not be used to finance personnel and operating costs. Use of one-time revenues is appropriate for capital outlay, debt retirement, contribution to capital reserve or capital projects and other non-recurring expenses.
4. The Town should ensure adequate funding of critical services before funding new or enhanced services.
5. Needed improvements in public safety and Town employee working conditions will be assessed during the budget process and reported to the Board.
6. In order to tie costs to specific services, departments shall submit budgets for each of their program areas. The Town shall adopt budgets at the department level.
7. Departments shall not include contingency funds in their respective budgets. The Town shall include a general contingency in its annual budget not to exceed five percent of the annual budget.

8. Solid waste and storm water rates will be established at the appropriate level to enable these related funds to be self-supporting.
9. The Board of Commissioners will receive a financial summary each month showing original budget, year-to-date revenues and expenditures and comparisons to the budget as amended.

CAPITAL IMPROVEMENT PLAN POLICIES

1. The Town will prioritize all capital improvements in accordance with an adopted capital improvement plan.
2. The Town will develop a five-year plan for capital improvements and review and update annually.
3. The capital improvement plan should be tied to the Town's Comprehensive Plan and Board approved planning documents to ensure that capital items requested meet the future growth needs for the Town.
4. The Town will coordinate development of the capital improvement program prior to the development of the operating budget.
5. The operating impact of each project shall be identified and incorporated into the annual operating budget.
6. A separate capital project ordinance shall be submitted to the Board of Commissioners for approval for all capital improvements which span more than one fiscal year or cost \$100,000 or more.
7. The Town will maintain all its assets at a level adequate to protect the Town's capital investment and to minimize future maintenance and replacement costs.
8. The Town will attempt to determine the least costly and most flexible financing method for all new projects.

FUND BALANCE POLICY

1. Recurring operational expenses of the town will be funded through recurring revenue sources.
2. Available Fund Balance in the General Fund will mean funds that remain available for appropriation by the Board of Commissioners after all commitments for future expenditures, required reserves defined by State Statutes, and previous designations of restricted or assigned have been calculated.
3. The Available Fund Balance target percentage should never fall lower than 50% of LGC population group average available fund balance percentage.
4. Stabilization Threshold will mean unassigned fund balance which is available at year end to meet emergency obligations, avoid interruptions in cash flow in the following fiscal year, eliminate need for short-term borrowing, increase potential for investment income and enhance the Town's credit rating to be able to borrow at the lowest possible interest rate.

5. The Stabilization Threshold at the close of each fiscal year should be no less than 35% of general fund expenditures in the next fiscal year. This represents three months of projected expenditures (25%) plus 10% in emergency expenditures.
6. At the same time as the approval of the annual audit report, the Town Manager will provide the Board a summary of the Available Fund Balance and the Stabilization Threshold status.
7. Fund balance may be used as appropriate under sound management practices.
8. In the event that funds are available over and beyond the targeted amount, those funds may be transferred to capital reserve funds or capital project funds at the Board of Commissioners discretion.

CASH MANAGEMENT AND INVESTMENT POLICIES

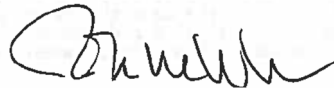
1. The Town shall effectively manage its cash resources in order to maximize interest earnings and minimize loss of revenue.
2. It is the intent of the Town that public funds will be invested to the extent possible to reduce the need for property tax revenues. Funds will be invested with the chief objectives of safety of principal, liquidity and yield, in that order. The Town will conform to all state and local statutes governing the investment of public funds.
3. The Town will use a central depository to maximize the availability and mobility of cash for all funds that can be legally and practically combined.
4. Departments shall deposit receipts daily as required by law. Departments are responsible for ensuring the security of cash receipts.
5. The Town's objective is to retain funds for investments for the longest period possible. Disbursements will be made on the contractually agreed date unless earlier payments provide a greater economic benefit to the Town. For Town checks, two signatures will be required.
6. The Town Board will approve all Official Depositories, per NCGS 150. Currently, Wells Fargo Bank, Branch Bank and Trust Company, and North Carolina Capital Management Trust (NCCMT) are approved as depositories.
7. The NCCMT Money Market Fund and Term Fund are specifically approved for municipal investment under NCGS 159-30(c), the Town Board approves the use of both these investment vehicles.

DEBT POLICIES

1. The Town will confine long-term borrowing to capital improvement or projects that cannot be financed from current revenues except where approved justification is provided.
2. The Town will utilize a balanced approach to capital funding utilizing debt financing, draws on capital reserves and/or fund balances in excess of policy targets, and current year (pay-as-you-go) appropriations.
3. The term of the debt service payments shall not exceed the expected useful life of the asset purchased through debt.
4. The Town is subject to the North Carolina General Statutes which limits the amount of net bonded debt (exclusive of revenue and special assessment bonds) the Town

- may have outstanding to 8 percent of the assessed value of property subject to taxation. It is the policy of the Town that this net bonded debt will not exceed 4 percent of the assessed valuation of taxable property of the Town.
5. Total debt service on tax-supported debt of the Town will not exceed 15% of total general fund operating revenues.
 6. Where feasible, the Town will explore use of special assessment, revenue, or other self-supporting bonds instead of general obligation bonds.
 7. Where feasible, the Town will limit amount of debt issued within respective calendar year to remain bank-qualified per IRS guidelines.

Adopted this the 10th day of January, 2017



MAYOR

Attest:



TOWN CLERK



Agenda Title: Quarterly Department Overviews Continued

Summary:

ATTACHMENTS:

Description	Upload Date	Type
Quarterly_Department_Overviews - Jan 18	1/23/2018	Cover Memo

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Police

Department Head: Penny Dunn, Chief of Police

Department Overview:

A proactive agency delivering a high level of service and focused on building community partnerships to enhance our capabilities. Officers develop skills through training and experience starting as the initial on-scene investigator. Other duties and assignments include traffic enforcement, community engagement, criminal investigations, crime scene processing, member of regional SWAT, K-9, and lake enforcement. Davidson Police Department is proud to be a nationally accredited CALEA agency.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so we will treat all people equally, with courtesy and respect.*
- *Davidson must be a safe place to live, work, and raise a family, so we will work in partnership with the community to prevent crime.*
- The Davidson Police Department is committed to professionalism, ethics, accountability, and teamwork.
- CALEA standards

Staff: 21 sworn officers with 3 current vacancies

2 FT non-sworn staff members

3 PT non-sworn staff members

1 PT volunteer

Roles:

21 sworn officers with 3 current vacancies (All police functions listed in overview)

2 FT non-sworn staff members (1 records/accreditation manager and 1 receptionist/records clerk)

3 PT non-sworn staff members – 1 code enforcement officer and 2 crossing guards

1 PT volunteer – parking enforcement

Broad Responsibilities:

Public safety: Enforce criminal laws (statutes, traffic, and ordinances), investigate crimes, respond to emergencies, and proactively engage with the community in public safety endeavors.

Recent successes:

- Collaborative work with Davidson College on response to crimes on campus and investigations involving students.
- Developed and implemented new pedestrian and motor vehicle safety and enforcement initiatives.
- Recently, the capture of a suspect wanted out of state for armed robbery, a drug arrest (liquid methamphetamine) following a traffic stop, and protecting citizens conducting peaceful assembly events, vigils, and marches in Davidson.

Challenges (and timeframe for when these will be up for board discussion):

- Adequate supervisory staff (ongoing)
- Ability to attract and retain sworn personnel in current competitive market (ongoing)
- Meeting all needs of community with current level of staffing (budget process)
- Facilities (public facilities plan)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Davidson Fire Department

Department Head: Bo Fitzgerald, Fire Chief

Department Overview: The Davidson Fire Department is a combination full-time / part-time department that responds to fire and EMS emergencies in the Town of Davidson and its ETJ.

- Respond to approx. 1,500 calls per year, including fires, EMS, hazardous materials, rescue, and general service calls
- Currently staffs two fire companies at Station 1 (will move one to Station 2 when complete)
- Provides mutual and automatic aid to neighboring departments
- Provides a variety of fire prevention and public education programs

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- Our mission is to provide quick and effective emergency response to all locations within our response area, and to mitigate potential hazards through planning and prevention.

Staff: 54 Part-Time / 6 Full-Time / 20 Volunteer Student EMTs

Roles:

- Fire Chief (P/T) – Manage the day to day administration and operations of department
- Deputy Chief (P/T) – Report to Fire Chief; Manage operations, training, fleet, logistics
- Captain (P/T) – Report to Deputy Chief; Supervise one company
- Engineer (F/T) – Report to Captain; Responsible for upkeep and operation of apparatus
- Firefighter (P/T) – Perform EMS and firefighting duties as directed by the Captain
- Student EMT (Volunteer) – Respond to weekend emergencies on Davidson College Campus

Broad Responsibilities: See above

Recent successes:

- Planning and construction of Fire Station 2 for service to eastern part of Davidson
- Staffing of second company, and hiring of 6 full-time engineers
 - 3 full-time positions supplemented with \$350,000 SAFER Grant
- Addition of sleeping quarters at Fire Station 1

- Davidson College Student EMT Program

Challenges (and timeframe for when these will be up for board discussion):

- Staffing (budget)
- Station 1 facilities (public facilities plan)
- Accreditation / ISO rating

**DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION
EXECUTIVE SUMMARY**

Department Name: Affordable Housing Department

Department Head: Cindy Reid, Affordable Housing Manager

Department Overview: The Affordable Housing Department works with the Planning Department, developers, and low to moderate income purchasers to plan, build, and oversee the purchase or rental of affordable homes. The department also implements two down payment assistance programs, and manages the HOME Consortium and Community Development Block Grant (CDBG) programs.

Core values, guiding principles and/or guiding documents:

- *Vision: Davidson is a town that has long been committed to controlling its own destiny as a distinct, sustainable, and sovereign municipality. Our town's sense of community is rooted in citizens who respect each other; in racial and socioeconomic diversity; in pedestrian orientation; and in the presence of a liberal arts college. We believe our history and setting guide our future.*
- *Core value: Davidson's historic mix of people in all income levels and ages is fundamental to our community, so town government will encourage opportunities, services, and infrastructure that allow people of all means to live and work here.*

Staff: 2 PT

Roles: Cindy Reid - manager of program

Pam Allen - administrative assistant. Pam's duties include handling the down payment assistance closing documents. She prepares the documents for the lenders, for closing, and sends the package to the City of Charlotte for reimbursement of HOME funds.

Broad Responsibilities:

- Promote and develop a full spectrum of housing opportunities that meet the needs of the Davidson community
- Work with developers on implementation of ordinance requirements
- Help families become homeowners in Davidson
- Manage proactive efforts to form relationships with affordable housing developers and identify sites, especially town owned, that may be available and appropriate for affordable housing
- Craft policies and recommend tools to create a range of housing options for current and future residents

Recent successes:

- Bradford: 12 new homes, 11 of which have been sold to low-to-moderate income families who otherwise would not be able to afford to live in Davidson. The last one is under contract
- Bailey Springs: 15 new homes will be built over the next two years
- Completed a comprehensive housing needs assessment and strategy report
- Secured a \$60,000 grant for down payment assistance
- Assisted 15 families with down payment assistance

Challenges (and timeframe for when these will be up for board discussion):

- Limited availability of developable sites
- Limited resources for affordable housing
- Neighborhood opposition to affordable housing
- Payment-in-lieu option does not equal new homes in new developments

Affordable housing will be a topic at the retreat.

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION

EXECUTIVE SUMMARY

Department Name: Legal

Department Head: Cindy Reid, Town Attorney

Department Overview: Provide legal services and legal advice to the Davidson Board of Commissioners and town departments

Core values, guiding principles and/or guiding documents:

- North Carolina Rules of Professional Conduct
- North Carolina General Statutes
- United States Constitution
- Town of Davidson Charter

Staff: 2 -- 1 FT, 1 PT (12 hours per week)

Roles: Cindy Reid - Town Attorney duties

Pam Allen - administrative and paralegal duties

Broad Responsibilities: The Town Attorney performs a variety of legal duties including preparing and drafting ordinances, resolutions, contracts, leases, permits, memos and other documents. I receive and review claims and lawsuits against the town, manage and oversee litigation, serve as liaison between outside counsel and the town for specialized legal matters. The Town Attorney provides legal support and advice to departments, employees and officers of the town, attends board meetings, receives and responds to public inquiries and requests for information, and performs general legal research.

Recent successes:

- Provided legal advice for a variety of personnel issues,
- Navigated through dozens of substantial public records requests
- Provided ongoing legal advice to all departments, particularly the planning department
- Drafted a variety of legal documents
- Advised Davidson Board of Commissioners as to legality of decisions they were considering

Challenges (and timeframe for when these will be up for board discussion):

- Balancing the wishes of the board with limitations of state law (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Finance

Department Head: Piet Swart, Finance Director

Department Overview:

The Finance Department is responsible for establishing and maintaining an accounting and reporting system in accordance with NC General Statutes, federal laws and regulations, and generally accepted accounting principles. We manage all aspects of the town's finances to ensure financial stability and responsible stewardship, adhering to principles of integrity, quality, collaboration, and customer service. The IT services contract is also managed by the finance department.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so town government will treat all people fairly, with courtesy and respect.*
- *Open communication is essential to an engaged citizenry, so town government will seek and provide accurate, timely information and promote public discussion of important issues.*
- ***Citizens entrust town government with the stewardship of public funds, so government will provide high quality services at a reasonable cost.***
- *Davidson exists in proximity to and is interdependent with other jurisdictions, so we strive for local, regional, state and federal cooperation.*

- **Documents guiding our operations:**
 - North Carolina General Statutes - Section 159
 - Town of Davidson Finance Policy
 - Generally Accepted Accounting Principles (GAAP) as promulgated by the Governmental Accounting Standards Board (GASB)
 - "Governmental Accounting, Auditing, and Financial Reporting" (GAAFR) – Governmental Finance Officers Association (GFOA)
- **Documents produced:**
 - Monthly Financial Dashboard – Budget to Actual and Cash Summary
 - Budget Documentation
 - Comprehensive Annual Financial Report (CAFR)
 - Capital improvement Plan (CIP)

Staff: 2 FT, 1 PT

Roles: Piet Swart- Finance Director (FT)
Mary Jo Gardner – Accountant (FT)
Katherine Faust – Accounting Technician (PT)

Broad Responsibilities:

Payroll, general ledger accounting, accounts payable, accounts receivable, credit cards, banking, purchase order processing, financing, financial audit and debt management. We assist the budget officer (Town Manager) in the preparation of the annual budget and capital improvement plan (CIP). Finance directly prepares debt schedules and employee cost projections, and, coordinates departmental budget preparation with department heads. We develop and maintain the Long Term Financial Plan, and financial projections as requested.

We ensure all Local Government Commission and other state agency-required deliverables are submitted in a timely fashion. These include CAFR, TR-2, LGC 203, COLL-91, AFIR, Powell Bill financial reports, sales tax reimbursement, monthly debt payment confirmations, LGC debt applications, and escheated property submissions.

Recent successes:

- Expanded Financial Statement to a Comprehensive Annual Financial Report (CAFR) and submitted to the Government Finance Office Association (GFOA) for consideration for Certificate of Achievement for Excellence in Financial Reporting
- Developed long-term financial plan to assist the town in making decisions regarding capital projects and use of fund balance.

Challenges (and timeframe for when these will be up for board discussion):

- Providing for all the town's capital needs while ensuring financial strength (ongoing)
- Continued enhancement of the long-term financial model (ongoing)
- Continuum (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Planning Department

Department Head: Jason Burdette, Planning Director

Department Overview: The Planning Department works with both citizens and elected leaders to develop a long-term vision for Davidson. Land planning responsibilities vary in both the near-term (building permits, development projects) and long-term (land use policy, transportation network). In Davidson, the department's overarching charge is to manage growth in a manner that is sustainable but does not compromise the town's core values or planning principles.

Core values, guiding principles and/or guiding documents:

- *Davidson's traditional character is that of a small town, so land planning will reflect its historic patterns of village-centered growth, with connection of neighborhoods, preservation of rural areas, and provision of public spaces.* (Core value #5)
- Planning Principles,
- Comprehensive Plan,
- Davidson Planning Ordinance,
- Recently-adopted area plans (i.e. Rural Area Plan).

Staff: 5 FT: Jason Burdette, AICP; Trey Akers, AICP; Chad Hall, AICP; Travis Johnson, AICP and Lindsay Laird

Roles: All planners regularly field questions from citizens, meet with potential developers, and take ownership of specific sections in the Planning Ordinance Committee (i.e. Watershed, Laird). Senior Planners (Akers & Hall) manage specific development projects, perform technical reviews in coordination with Mecklenburg County, serve as staff liaisons to advisory boards (Planning Board & Design Review Board), among other tasks. Akers was the project manager for the Rural Area Plan. The Transportation Planner (Johnson) manages the department's GIS database, creates maps, and serves on various transportation-related intergovernmental bodies. Johnson is the project manager for the Davidson Mobility Plan. The Planning Technician (Laird) serves as the first point of contact for requests. She is in most direct contact with citizens, manages review schedules and deadlines, and reviews residential building permits (+/-30/month).

Broad Responsibilities: Jack of all trades. As planners, we're expected to be adept at a breadth of issues. These include citizen engagement, development, preservation, open space, transportation, affordable housing, long-range planning, and sustainability, to name a few. The planning principles touch on this with mentions of town character and sense of community,

historic downtown, alternative means of transportation, land use policy, environmental protection, growth management, quality of life, and the built environment.

Recent successes:

- Rural Area Plan adoption, implementation, and recognition.
- 80% grant funding for the upcoming Davidson Mobility Plan (\$100,000)
- Grant funding for transportation improvement projects (+/-1million; Robert Walker roundabout) (+/- \$700k Kincaid Trail extension)

Challenges (and timeframe for when these will be up for board discussion):

- Managing departmental workflow with increased development pressure and scrutiny
- Managing expectations for community engagement (*exploring changes to process*)
- Launching the Davidson Mobility Plan/Preparing for Comprehensive Plan (*retreat topic*)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Economic Development

Department Head: Kim Fleming, Economic Development Manager

Department Overview: Responsible for business retention, business attraction, small business & entrepreneurship, and tourism in the Town of Davidson.

Core Values, guiding principles and/or guiding documents:

- *Davidson's economic health is essential to its remaining a sustainable community, so town government will judiciously encourage and guide the location of new business opportunities.*
- Economic Development Strategic Plan
- Economic Development Strategic Work Plan 2022
- Cost of Land Use Fiscal Impact Analysis

Staff: 1 FT

Roles: Economic Development Manager; will also use PT contract event coordination help

Broad Responsibilities:

Business Retention & Expansion (BRE) – Help keep our businesses thriving in town, find space for needed expansion, job hiring assistance, sales growth assistance, marketing assistance.

Business Attraction – Introduce potential businesses to Davidson, match interested businesses with available real estate, job creation.

Small Business & Entrepreneurship (SBE) – Assist home-based businesses with networking opportunities, support local entrepreneurship efforts (Launch LKN, DFM), support business incubation efforts (The Hub @ Davidson).

Tourism – Manage the events that Davidson businesses started (Christmas in Davidson, Art on the Green, Gallery Crawls, Concerts on the Green, Halloween March) and new events that benefit Davidson businesses (Cookie Crumb Trail, Small Business Saturday, Shakespeare on the Green).

Staff liaison to Davidson Public Art Commission.

Recent Successes:

New business openings, occupancy rates, annual business summit

Challenges (and timeframe for when these will be up for board discussion):

- Increasing the commercial tax base (currently 18% commercial, 82% residential), (ongoing, retreat)
- Sustainable development (cost to serve), (ongoing)
- Downtown parking solution, (ongoing)
- Changes to the NC sales tax distribution (General Assembly controls) (ongoing)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Public Information

Department Head: Cristina Shaul, Public Information Officer

Department Overview:

The public information officer communicates to the public through various types of media to share information on a broad range of town business, programs, activities, and services to foster open communication and encourage civic engagement. The public information officer works with management team to determine methods of communication and ensure that all work being done by town departments continues to enhance the town's mission, vision, and core values as set by the mayor and board of commissioners.

Core values, guiding principles and/or guiding documents:

- *Citizens are the heart of Davidson, so town government will treat all people fairly, with courtesy and respect.*
- *Open communication is essential to an engaged citizenry, so town government will seek and provide accurate, timely information and promote public discussion of important issues.*

Staff: 1 FT (PIO), 1 shared part-time administrative assistant (12 hours /week)

Broad Responsibilities:

The public information department oversees all town communications. It produces the town's quarterly newsletter, maintains the town's website and online community calendar, produces and issues town press releases, maintains the town's social media sites (Facebook, Twitter, and Instagram), sends frequent eCrier emails with news and information, produces or reviews all other print and electronic communications for the town, manages emergency communications, and assists with town ceremonies and programs.

Recent successes:

Website redesign, Civics 101 & Reunion, Livestreaming meetings, video messages, use of social media, mobile app and SeeClickFix.

Challenges (and timeframe for when these will be up for board discussion):

- Reaching all 13,000 residents with information (retreat)
- Community engagement/encouraging all 13,000 residents to participate early in any process where we need input (retreat)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION

EXECUTIVE SUMMARY

Department Name: Public Works

Department Head: Doug Wright, Public Works and Projects Director

Department Overview: The Davidson Public Works Department provides a wide range of municipal services to residents of Davidson: Maintains parks and street rights-of-way, facilities, downtown, McEver field, parks, streets, sidewalks, trees, storm water, manages solid waste contract, projects, traffic congestion, utilities, development, signs, events, pedestrian safety, lighting, traffic calming

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- *Citizens entrust town government with the stewardship of public funds, so government will provide high quality services at a reasonable cost.*
- *Citizens need to move easily throughout the town and region, so government will provide a variety of options, such as sidewalks, bike paths, greenways, connected streets, and transit.*
- *Citizens must live in a healthy environment, so town government will protect watersheds, trees, air quality, and other elements of the town's ecology.*
- Walks and Rolls Active Transportation Plan

Staff: 11 FT

Roles: Director, Operations Supervisor; 0.75 FT McEver; 0.75 FT downtown maintenance; 4 FT streets, 3 FT landscape

Broad Responsibilities: See "Overview" (above)

Recent successes:

- Winter tree pruning & planting
- Christmas in Davidson
- Resurfacing
- Davidson Elementary School stream restoration grant
- Snow removal

Challenges (and timeframe for when these will be up for board discussion):

- Streets development ordinance (by the end of FY18)
- Sidewalk projects (FY18&19)
- Contracting work environment (budget process)
- Hiring environment (ongoing)
- Solid waste contract (budget process)
- Development environment (ongoing)
- Facility (ongoing discussion)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Parks & Recreation

Department Head: Kathryn Spatz, Parks and Recreation Director

Department Overview: The Town of Davidson parks, public places, natural areas, and recreational opportunities give life and beauty to our community. These essential elements create community, connecting people to place, self and others. Davidson residents will nurture and care for this legacy, building on the past to provide for future generations.

Core values, guiding principles and/or guiding documents:

- *The physical, social, and intellectual wellbeing of Davidson citizens is fundamental to our community, so town government will provide and encourage enjoyable, safe, and affordable recreational and cultural lifelong learning opportunities.*
- *Citizens need to move easily throughout the town and region, so government will provide a variety of options, such as sidewalks, bike paths, greenways, connected streets, and transit.*
- Parks and Recreation Master Plan
- Walks and Rides Active Transportation Master Plan

Staff: 3 FT, 1 PT, 16 seasonal/temporary for sports, watercraft rental program, special events, etc., and to drive bus.

Roles: Director, 3 Recreation Program Managers, several program assistants, bus drivers

Broad Responsibilities:

- Work with citizens to develop facilities, sites, and activities desired by community for leisure needs.
- Offer wide variety of cultural, wellness, athletic, and recreation programs and activities for residents.
- Partner with local non-profits and businesses to expand activities to community at low or no cost.
- Act as point of contact for all outdoor special event applications.

Recent successes:

- Water Access at Lake Davidson Nature Preserve:
 - Doubled watercraft rack storage spaces to meet resident demand for year-round kayak/paddleboard storage (maxed out @ 132)
 - Initiated weekend kayak, paddleboard, canoe rental program for residents who don't otherwise have access to lake, 98% watercraft rented; program staffed by resident youth

- Greenway in Fisher Farm/Abersham mostly complete: we have been able to keep most of the park open to users through the project, which has only been possible through partnership with the contractor and county
- Park at Bailey Springs plan: will include active, improved elements that neighbors and Livability Board agree are appropriate for the site. Currently bidding Phase I of project (closes January 30).
- North Meck Recreation Center design and construction funding included in county BOC adopted budget.

Challenges (and timeframe for when these will be up for board discussion):

- Securing indoor programming space, particularly gym, once we can no longer leverage town's outdoor space via joint use agreement (this is P&R's biggest long-term challenge), (CIP/bond discussions)
- Finding appropriate locations for active recreation opportunities in town (CIP/bond discussions)
- Finding balance between completing greenway connections and respecting all property owner interests (CIP/bond discussions)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Human Resources

Department Head: Heather James, Human Resources Manager

Department Overview:

Human Resources is a relatively new department for the town; previously this role was shared with the Town Clerk position. In 2016, the board allocated funds to separate the roles. Davidson believes that employee feedback is essential to a successful workforce. We have found that employees choose to work for Davidson over other municipal governments due to the progressive culture, transparency, and the ability to think differently in departmental functions.

Core values, guiding principles and/or guiding documents:

- *Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.*
- Personnel Policy signed by Town Manager on October 27, 2017
- FLSA, EEOC, DOL, OSHA and public employment law cases

Staff: 1 FT **Role:** Human Resources Manager

Broad Responsibilities:

Human Resources is responsible for a variety of functions including: employee benefits, risk management (general liability and workers compensation claims), recruitment and selection, performance review, safety training, position classification, and compensation plans.

Recent successes:

- Update of personnel policy completed October 27, 2017
- Successful recruitment of Police Chief Penny Dunn
- Supporting role to fire department for hiring the town's first full-time engineers
- Departmental-wide safety training program
- Supported departments with the hiring of approximately 20 employees (full-time and part-time)
- Enhancement of wellness initiatives for employees

Challenges (and timeframe for when these will be up for board discussion):

- Recruitment of police officers (budget process)
- Space needs for better productivity (public facilities update)
- Proper staffing, competitive salary and benefits (budget process)

DAVIDSON MAYOR AND BOARD OF COMMISSIONERS ORIENTATION EXECUTIVE SUMMARY

Department Name: Manager's office - Administration

Department Head: Jamie Justice, Town Manager

Department Overview: Implement board policies under council-manager form of government, main conduit between board and staff, departmental oversight

Core values, guiding principles and/or guiding documents:

- Town of Davidson Vision, Mission, and Values statement
- Game Plan
- Comprehensive Plan
- NC General Statutes

Staff: 3 FT

Roles: Jamie Justice, Town Manager
Dawn Blobaum, Assistant Town Manager
Carmen Clemsic, Town Clerk

Broad Responsibilities:

Board of Commissioners communication and support; agenda forecasting
Board of Commissioners meeting agendas, minutes, resolutions
Department oversight: JJ – Finance, HR, Legal, Parks and Recreation, Public Works
DB – Police, Fire, Planning, Communications, Economic Development
Governing, Administration, and Non-Departmental Budgets
Public Records requests
Special projects
Regional cooperative efforts and representation, i.e. LNEDEC, LNTC
Advisory Board nomination and non-profit grant processes
Retreat planning

Recent successes:

- 2016-2017 Game Plan implementation
- Staff team building, morale, retention

Challenges (and timeframe for when these will be up for board discussion):

- Public records management (New technology proposed for FY19 budget)
- New board's strategic plan (Create 3Q FY18; implement over two years)
- Citizens' perception of local government (Ongoing work)
- Service delivery to citizens as we grow (staffing, facilities), (Ongoing discussions)
- Continuum (Ongoing work to build self-sustaining company and decide future direction)



Agenda Title: Consider Approval of Rules of Procedure - Town Manager Jamie Justice

Summary: In order to increase the efficiency of operation of the Board of Commissioners, and to guarantee full and fair discussion. These Rules of Procedure are based upon Suggested Rules of Procedure for a City Council, 4th edition, 2017, Trey Allen, UNC School of Government and have been modified to reflect the specifics of the Town of Davidson.

ATTACHMENTS:

Description	Upload Date	Type
❏ Draft - Town of Davidson Rules of Procedure	1/18/2018	Cover Memo

Rules of Procedure for the Town of Davidson

DRAFT 1-2-18

In order to increase the efficiency of operation of the Board of Commissioners, and to guarantee full and fair discussion, the Board of Commissioners of the Town of Davidson hereby adopt these Rules of Procedure to govern all meetings of the Board. These Rules of Procedure are based upon *Suggested Rules of Procedure for a City Council*, 4th edition, 2017, Trey Allen, UNC School of Government. Should any conflict or question arise, the Town shall utilize the most current edition of *Suggested Rules of Procedure for a City Council* as published by the UNC School of Government.

Part I. Applicability

Rule 1. Applicability of Rules

These rules apply to all meetings of the Town of Davidson. For purposes of these rules, a meeting of the board occurs whenever a majority of the board's members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the board's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half.

Part II. Quorum

Rule 2. Quorum

The presence of a quorum is necessary for the board to conduct business. A majority of the board's actual membership plus the mayor, excluding vacant seats, constitutes a quorum. A member who withdraws from a meeting without being excused by majority vote of the remaining members in attendance is deemed present for quorum purposes.

Part III. Open Meetings

Rule 3. Remote Participation in Board Meetings

A member who attends a meeting electronically (via phone, skype, etc.) may take part in debate however may neither be counted toward a quorum nor vote on any matter before the board.

Rule 4. Meetings to Be Open to the Public

Except as permitted by Rule 5, all meetings of the board shall be open to the public, and any person may attend its meetings.

Rule 5. Closed Sessions

(a) Motion to Enter Closed Session. The Town Board may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed session listed in paragraph (b) of this rule. A motion to enter closed session under subparagraph (b)(1) or (b)(2) must contain the additional information specified in those provisions.

(b) Bases for Closed Session. A closed session is permissible under the following circumstances and no others:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of North Carolina or of the United States or that does not constitute a public record within the meaning of Chapter 132 of the General Statutes. The motion to enter closed session must name or cite the law that renders the information confidential or privileged.
- (2) To consult with the town attorney or another attorney employed or retained by the town in order to preserve the attorney–client privilege. If the board expects to discuss a pending lawsuit with its attorney, the motion to enter closed session must include the names of the parties to the lawsuit.
- (3) To discuss matters relating to (a) the location or expansion of industries or other businesses in the area served by the town or (b) the closure or realignment of a military installation. The board may reach agreement in closed session on a tentative list of economic development incentives to be offered in negotiations, but the approval of the signing of any economic development contract or commitment and the authorization of the payment of economic development expenditures must take place in open session.
- (4) To establish or instruct staff or agents concerning the town’s position in negotiating the price or other material terms of an agreement for the acquisition of real property by purchase, exchange, or lease.
- (5) To establish or instruct staff or agents concerning the amount of compensation or other material terms of an employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, or conditions of appointment or employment of a public officer or employee or prospective public officer or employee, except when the individual in question is a member of the Town Board or other public body or is being considered to fill a vacancy on the Town Board or other public body. Final action to appoint or employ a public officer or employee must take place in open session.
- (7) To hear or investigate a charge or complaint by or against a public officer or employee. Final action discharging an employee or removing an officer must occur in open session.
- (8) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (9) To view a law enforcement recording released pursuant to G.S. 132-1.4A.
- (10) On any other basis permitted by law.

(c) Closed Session Participants. Unless the board directs otherwise, the town manager, town attorney, and town clerk may attend closed sessions of the board. No other person may attend a closed session unless invited by majority vote of the board.

(d) Motion to Return to Open Session. Upon completing its closed session business, the board shall end the closed session by adopting a duly made motion to return to open session.

Rule 6. Meeting Minutes

(a) Minutes Required for All Meetings. The board must keep full and accurate minutes of all of its meetings, including closed sessions. To be “full and accurate,” minutes must record all actions taken by the board. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of the board, though the board in its discretion may decide to incorporate such details into the minutes.

(b) Record of “Ayes” and “Noes.” At the request of any member of the board, the minutes shall list each member by name and record how each member voted on a particular matter.

(c) General Accounts of Closed Sessions. In addition to minutes, the board must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The board may combine the minutes and general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

(d) Sealing Closed Session Records. Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the board or, if the board delegates the authority to unseal to one or more staff members, in accordance with guidelines adopted by the board. The sealed minutes and general account of any closed session may be withheld from public inspection so long as public inspection would frustrate the purpose(s) of the closed session.

Rule 7. Broadcasting and Recording Meetings

(a) Right to Broadcast and Record. Any person may photograph, film, tape-record, or otherwise reproduce any part of a board meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a board meeting.

(b) Advance Notice. Any radio or television station that plans to broadcast any portion of a board meeting shall so notify the Town Clerk and Public Information Officer no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a board meeting.

(c) Equipment Placement. The Town Manager may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Town Manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the Town Manager may require the pooling of the equipment and the personnel operating it.

(d) Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the board grants the request, the news media making the request shall pay the costs incurred by the town in securing an alternative meeting site.

Part IV. Organization of the Board

Rule 8. Organizational Meeting; Selection of Mayor Pro Tempore

(a) Scheduling Organizational Meeting. The board must hold an organizational meeting following each general election in which board members are elected. The organizational meeting must be held either (1) on the date and at the time of the board’s first regular meeting in December following the election or (2) at an earlier date, if any, set by the incumbent board. The organizational meeting may not be held before municipal election results are officially determined, certified, and published as required by law.

(b) Oath of Office. As the first order of business at the organizational meeting, all newly elected members of the board must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution. Each member’s oath must be filed with the town clerk. Although a member who is not present for the organizational meeting may take the oath of office at another time, every member must

take, subscribe, and file the oath before he or she begins performing any of the duties of the member's office.

(c) Selection of Mayor Pro Tempore. As the second order of business at the organizational meeting, the board shall elect from among its members a mayor pro tempore using the procedures specified in Rule 38. The mayor pro tempore shall serve at the board's pleasure.

Part V. Types of Meetings

Rule 9. Regular Meetings

(a) Regular Meeting Schedule. The board shall hold a regular meeting on the second and fourth Tuesday of each month. The meeting shall be held at the Town Hall Board Room and begin at 6:00 pm. The board shall adopt a meeting schedule each year consistent with this rule. A copy of the board's current meeting schedule shall be filed with the town clerk and posted on the town's website.

(b) Change to Meeting Schedule. Notwithstanding paragraph (a) of this rule, the board may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule and posted on the town's website.

Rule 10. Special Meetings

(a) Calling Special Meetings. A special meeting of the board may be called by the mayor, the mayor pro tempore, or any two board members. A special meeting may also be called by vote of the board in open session during a regular meeting or another duly called special meeting.

(b) Notice to the Public. At least forty-eight hours before a special meeting of the board, notice of the date, time, place, and purpose of the meeting shall be (1) posted on the board's principal bulletin board or, if the board has no such board, at the door of the board's usual meeting room and (2) delivered, e-mailed, or mailed to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Furthermore, if the board has a website maintained by at least one town employee, notice of the special meeting's date, time, place, and purpose shall be posted on the website in advance of the meeting.

(c) Notice to Members.

- (1) *Meeting called by the mayor, the mayor pro tempore, or any two board members.* At least forty-eight hours before a special meeting called by the mayor, the mayor pro tempore, or any two board members, written notice of the meeting stating its date, time, and place, as well as the subjects to be considered, shall be electronically delivered to the mayor and each board member or left at his or her usual dwelling place.
- (2) *Meeting called by vote of the board in open session.* When a special meeting is called by vote of the board in open session during a regular meeting or another duly called special meeting, the motion or resolution calling the special meeting shall state the meeting's date, time, place, and purpose. Written notice of the special meeting's date, time, place, and purpose shall be mailed, delivered or electronically delivered at least forty-eight hours before the meeting to each board member not present for the meeting at which the special meeting was called, and to the mayor if he or she was not present at that meeting.

(d) Transacting Other Business. Unless all members are present or any absent member has signed a

written waiver of notice, only those items of business specified in the notice to board members may be taken up at a special meeting. Even when all members are present or any absent member has signed a waiver, the board may take up an item of business not covered by the notice only if the board first determines in good faith that the item must be discussed or acted upon immediately.

Rule 11. Emergency Meetings

(a) Grounds for Emergency Meeting. Emergency meetings of the town board may be called only to address generally unexpected circumstances demanding the board's immediate attention.

(b) Calling Emergency Meetings. There are two methods by which an emergency meeting of the board may be called.

- (1) The mayor, the mayor pro tempore, or any two members of the board may at any time call an emergency board meeting by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each board member or left at his or her usual dwelling place at least six hours before the meeting.
- (2) An emergency meeting may be held when the mayor and all members of the board are present and consent thereto, or when any absent member has signed a written waiver of notice.

(c) Notice to Media of Emergency Meetings. Notice of an emergency meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request with the town clerk for notice of emergency meetings. To be valid, the request must include the newspaper's, wire services, or station's telephone number. Notice may be given by telephone, e-mail, or the same method used to notify board members. Notice must be provided immediately after board members have been notified and at the expense of the party notified.

(d) Transaction of Other Business Prohibited. Only business connected with the emergency may be considered at an emergency meeting.

Rule 12. Recessed Meetings

(a) Calling Recessed Meetings. When conducting a properly called regular, special, or emergency meeting, the board may recess the meeting to another date, time, or place by a procedural motion made and adopted, as provided in Rule 31, Motion 3, in open session. The motion must state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will reconvene.

(b) Notice of Recessed Meetings. If the board has a website maintained by one or more town employees, notice of the recessed meeting's date, time, and place must appear on the webpage prior to the meeting. No further notice of a properly called recessed meeting is required.

Part VI. Agenda

Rule 13. Agenda

(a) Draft Agenda.

- (1) *Preparation.* The Town Manager shall prepare a draft agenda in advance of each meeting of the town board.
- (2) *Requesting placement of items on draft agenda.* For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the Town Manager at least four working

days before the date of the meeting. The Town Manager must place an item on the draft agenda in response to a board member's timely request.

- (3) *Supplemental information/materials.* If the board is expected to consider a proposed ordinance or ordinance amendment, a copy of the proposed ordinance or amendment shall be attached to the draft agenda. An agenda package shall be prepared that includes, for each item of business listed on the draft agenda, as much background information on the topic as is available and feasible to provide.
- (4) *Delivery to board members.* Each board member shall receive a hard or electronic copy of the draft agenda and the agenda package. Except in the case of an emergency meeting, the agenda and agenda package shall be furnished to each member at least twenty-four hours before the meeting.
- (5) *Public inspection.* The draft agenda and agenda package shall be available to the public when the documents are ready to be, or have been, circulated.

(b) Adoption of the Agenda.

- (1) *Adoption.* As its first order of business at each meeting, the board shall review the draft agenda, make whatever revisions it deems appropriate, and adopt a formal agenda for the meeting.
- (2) *Amending the agenda.* Both before and after it adopts the agenda, the board may add or subtract agenda items by majority vote of the members present and voting, except that the board may not add to the items stated in the notice of a special meeting unless the requirements in Rule 10(d) are satisfied and only business connected with the emergency may be considered at an emergency meeting.
- (3) *Designation of items "For Discussion and Possible Action."* The board may designate an agenda item "for discussion and possible action." The designation signifies that the board intends to discuss the item and may, if it so chooses, take action on the item following the discussion.

(c) Consent Agenda. The board may designate part of an agenda for a regular meeting as the *consent agenda*. Items may be placed on the consent agenda by the person(s) charged with preparing the draft agenda if the items are judged to be noncontroversial and routine. Prior to the board's adoption of the meeting agenda under subparagraph (b)(1) of this rule, the request of any member to have an item moved from the consent agenda to unfinished business must be honored by the board. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item.

(d) Informal Discussion of Agenda Items. The board may informally discuss an agenda item even when no motion regarding that item is pending.

Rule 14. Acting by Reference to Agenda or Other Document

The board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document with the intention of preventing persons in attendance from understanding what action is being considered or undertaken. The board may deliberate and vote by reference to the agenda or any item on the agenda, including the consent agenda, provided copies of the agenda are available for public inspection at the meeting and are sufficiently worded to enable the public to understand what is being deliberated or acted upon.

Rule 15. Agenda Items from Members of the Public

If a member of the public wishes to request that the board include an item on its regular meeting agenda, he or she must submit the request to the Town Manager at least six working days before the date of the meeting. The board is not obligated to place an item on the agenda merely because such a request has been received.

Rule 16. Order of Business

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

- announcements
- changes/adoption of the agenda
- public comments
- public hearings
- presentations
- reports
- consent agenda
- new business
- old business

Without objection, the mayor may call agenda items in any order most convenient for the dispatch of business.

Part VII. Role of the Presiding Officer

Rule 17. The Mayor

(a) Presiding Officer. When present, the mayor shall preside at meetings of the board.

(b) Right to Vote. The mayor may vote only when an equal number of affirmative and negative votes have been cast.

(c) Recognition of Members. A member must be recognized by the mayor (or other presiding officer) in order to address the board, but recognition is not necessary for an appeal pursuant to Rule 31, Motion 1.

(d) Powers as Presiding Officer. As presiding officer, the mayor is to enforce these rules and maintain order and decorum during board meetings. To that end, the mayor may

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;
- (3) entertain and answer questions of parliamentary procedure;
- (4) call a brief recess at any time; and
- (5) adjourn in an emergency.

(e) Appeals of Procedural Rulings. A member may appeal a decision made or answer given by the mayor under subparagraph (d)(1), (2), or (3) in accordance with Rule 31, Motion 1.

Rule 18. The Mayor Pro Tempore

(a) Presiding in Mayor's Absence. When present, the mayor pro tempore shall preside over board meetings in the mayor's absence with all the powers specified in Rule 17(d).

(b) Delegation of Mayor's Powers/Duties. In the mayor's absence, the board may confer on the mayor pro tempore any of the mayor's powers and duties. Likewise, if the mayor becomes physically or mentally

unable to perform the duties of his or her office, the board may by unanimous vote declare the mayor incapacitated and confer any of the mayor's powers and duties on the mayor pro tempore. When the mayor announces that he or she is no longer incapacitated, and a majority of the board concurs, the mayor shall resume the exercise of his or her powers and duties.

(c) Duty to Vote. Even when presiding over a board meeting, the mayor pro tempore has the same duty as other members to vote on all questions unless he or she has been excused from voting on a matter in accordance with Rule 28.

Rule 19. Other Presiding Officer

If both the mayor and mayor pro tempore are absent, the board may elect from among its members a temporary presiding officer to chair the meeting. While serving as temporary presiding officer, a member has the powers listed in Rule 17(d). Service as a temporary presiding officer does not relieve a member of the duty to vote on all questions unless excused from voting pursuant to Rule 28.

Rule 20. When the Presiding Officer Is Active in Debate

If the mayor becomes active in debate on a particular proposal, he or she may have the mayor pro tempore preside during the board's consideration of the matter. If the mayor pro tempore is absent or is also actively debating the matter, the mayor may designate another member to preside until the matter is concluded. Similarly, if the mayor pro tempore or a temporary presiding officer is presiding and takes an active part in debating a topic, he or she may designate another board member to preside temporarily.

Part VIII. Motions and Voting

Rule 21. Action by the Board

Except as otherwise provided in these rules, the board shall act by motion. Any member may make a motion, not including the mayor.

Rule 22. Second Not Required

No second is required on any motion.

Rule 23. One Motion at a Time

A member may make only one motion at a time.

Rule 24. Withdrawal of Motion

The member who introduces a motion may withdraw the motion unless the motion has been amended or the presiding officer has put the motion to a vote.

Rule 25. Debate

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

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

Rule 26. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Rule 27. Changing a Vote

A member may change his or her vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change his or her vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

Rule 28. Duty to Vote

(a) Duty to Vote. Every board member must vote except when excused from voting as provided by this rule.

(b) Grounds for Excusal. A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to board members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to member), G.S. 160A-381(d) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member), or G.S. 160A-388(e)(2) (member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker). Questions about whether a basis for excusal exists should be directed to the town attorney.

(c) Procedure for Excusal.

- (1) *At member's request.* Upon being recognized at a duly called meeting of the board, a member who wishes to be excused from voting shall so inform the presiding officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is excused from voting on the matter.
- (2) *On board's initiative.* Even when a member has not asked to be excused from voting on a matter, a majority of the remaining board members present may by motion and vote excuse the member from voting if grounds for doing so exist under paragraph (b).

(d) Consequence of Non-Excused Failure to Vote. Except as specified in paragraph (e), if a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided

- (1) the member is physically present in the board chamber or
- (2) the member has physically withdrawn from the meeting without being excused by majority vote of the remaining members present.

(e) Failure to Vote on Certain Zoning Matters. A member's unexcused failure to vote shall not be recorded as an affirmative vote if the motion concerns a proposal to amend, supplement, or repeal a zoning ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

Rule 29. Voting by Written Ballot

(a) Secret Ballots Prohibited. The board may not vote by secret ballot.

(b) Rules for Written Ballots. The board may decide by majority vote or unanimous consent to vote on a motion by written ballot. Each member must sign his or her ballot, and the minutes must record how each member voted by name. The ballots must be made available for public inspection in the town clerk's office immediately following the meeting at which the vote took place and remain there until the minutes of that meeting are approved, at which time the ballots may be destroyed.

Rule 30. Substantive Motions

A substantive motion is not in order if made while another motion is pending. Once the board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 31, Motion 14.

Rule 31. Procedural Motions

(a) Certain Motions Allowed. The board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) Priority of Motions. The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 12, and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 9.

When several procedural motions are pending, voting must begin with the procedural motion highest in priority, provided that a motion to amend or end debate on the highest priority motion must be voted on first.

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

Motion 2. To Adjourn. This motion may be used to close a meeting. It is not in order if the board is in closed session.

Motion 3. To Recess to a Time and Place Certain. This motion may be used to call a recessed meeting as permitted under Rule 12. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the board is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

Motion 6. To Suspend the Rules. To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor if the mayor votes only in case of a tie. The board may not suspend provisions in these rules that are required under state law.

Motion 7. To Divide a Complex Motion. This motion is in order whenever a member wishes to consider and vote on parts of a complex motion separately. The member who makes this motion must specify how the complex motion will be divided.

Motion 8. To Defer Consideration. The board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the board votes to revive it pursuant to Motion 13 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

Motion 9. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 10. To Postpone to a Certain Time. This motion may be employed to delay the board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 11. To Refer a Motion to a Committee. The board may vote to refer a substantive motion to a committee for study and recommendations. While the substantive motion is pending before the committee, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the committee fails to report on the motion within 60 days of the referral date, the board must take up the motion if asked to do so by the member who introduced it.

Motion 12. To Amend.

(a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.

(b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

(c) Amendments to Ordinances. Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.

Motion 13. To Revive Consideration. The board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 8, provided it does so within 100 days of its vote to defer consideration.

Motion 14. To Reconsider. The board may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting during which the action to be reconsidered was taken and (b) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the board's deliberation on a pending matter.

Motion 15. To Rescind. The board may vote to rescind an action taken at a prior meeting provided rescission is not forbidden by law.

Motion 16. To Prevent Reintroduction for Six Months. This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor, unless the mayor may vote on all questions. If this motion is adopted, the ban on reintroduction remains in effect

for six months or until the board's next organizational meeting, whichever occurs first.

Part IX. Ordinances and Contracts

Rule 32. Introduction of Ordinances

For purposes of these rules, the "date of introduction" for a proposed ordinance is the date on which the board first votes on the proposed ordinance's subject matter. The board votes on the subject matter of a proposed ordinance when it votes on whether to adopt or make changes to the proposed ordinance.

Rule 33. Adoption, Amendment, and Repeal of Ordinances

(a) Adoption of Ordinances.

- (1) *Proposed ordinances to be in writing.* No proposed ordinance shall be adopted unless it has been reduced to writing and distributed to members before a vote on adoption is taken.
- (2) *Adoption on date of introduction.* To be approved on the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least two-thirds of the board's actual membership, excluding vacant seats and not counting the mayor, unless the mayor has the right to vote on all questions before the board.
- (3) *Adoption after date of introduction.* To be approved after the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least a majority of all board members not excused from voting on the matter. In calculating the number of affirmative votes necessary for approval, the board shall count the mayor if he or she votes on all questions. If the mayor votes only in the case of tie, the mayor's vote counts if there is an equal division.

(b) Amendment and Repeal of Ordinances. The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

Rule 34. Adoption of the Budget Ordinance

(a) Special Rules for the Adoption or Amendment of the Budget Ordinance. Notwithstanding any provision in the town charter, general law, or local act,

- (1) the board may adopt or amend the budget ordinance at a regular or special meeting of the board by a simple majority of those members present and voting, a quorum being present;
- (2) no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the board; and
- (3) the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any town charter or local act concerning initiative or referendum.

(b) Notice Requirements for Budget Meetings. During the period beginning with the submission of the budget to the board and ending with the adoption of the budget ordinance, the board may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as

- each member of the board has actual notice of each special meeting called for the purpose of considering the budget and
- no business other than consideration of the budget is taken up.

(c) No Authority for Closed Sessions. This rule shall not be construed to authorize the board to hold closed sessions on any basis other than the grounds set out in Rule 5.

Rule 35. Approval of Contracts and Authorization of Expenditures

(a) Contracts to be in Writing. No contract shall be approved or ratified by the town board unless it has been reduced to writing at the time of the board's vote.

(b) Approval of Contracts. To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all board members not excused from voting on the contract, including the mayor's vote in the event of a tie.

(c) Authorization of Expenditure of Public Funds. The same vote necessary to approve or ratify a contract is required for the board to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to Rule 34.

Part X. Public Hearings and Comment Periods

Rule 36. Public Hearings

(a) Calling Public Hearings. In addition to holding public hearings required by law, the board may hold any public hearings it deems advisable. The board may schedule hearings or delegate that responsibility to town staff members, as appropriate, except when state law directs the board itself to call the hearing. If the board delegates scheduling authority, it must provide adequate guidance to assist staff members in exercising that authority.

(b) Public Hearing Locations. Public hearings may be held anywhere within the town or within the county where the town is located.

(c) Rules for Public Hearings. The board may adopt reasonable rules for public hearings that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups of persons supporting or opposing the same positions,
- provide 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 a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

(d) Notice of Public Hearings. Any public hearing at which a majority of the board is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the open meetings law, as set out in Rules 9 through 12, apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

(e) Continuing Public Hearings. The board may continue any public hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the board is not present for a properly scheduled

public hearing, the hearing must be continued until the board's next regular meeting without further advertisement.

(f) Conduct of Public Hearings. At the time appointed for the hearing, the mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the board for the hearing. Unless the board extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the mayor shall declare the hearing closed, and the board shall resume the regular order of business.

(g) Public Hearings by Less Than a Majority of Board Members. Nothing in this rule prevents the board from appointing a member or members to hold a public hearing on the board's behalf, except when state law requires that the board itself conduct the hearing.

Rule 37. Public Comment Periods

(a) Frequency of Public Comment Periods. The board must provide at least one opportunity for public comment each month at a regular meeting, except that the board need not offer a public comment period during any month in which it does not hold a regular meeting.

(b) Rules for Public Comment Periods. The board may adopt reasonable rules for public comment periods that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups supporting or opposing the same positions,
- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the public comment period exceeds the capacity of the hall (so long as arrangements are made for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

(c) Content-Based Restrictions Generally Prohibited. The board may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the board's real or apparent jurisdiction.

Part XI. Appointments and Appointed Bodies

Rule 38. Appointments

(a) Appointments in Open Session. The board must consider and make any appointment to another body or, in the event of a vacancy on the board, to its own membership in open session.

(b) Nomination and Voting Procedure. The board shall use the following procedure to fill a vacancy in the board itself or in any other body over which it has the power of appointment. The nominating committee shall be called upon to make its report and recommendation(s), if any. The mayor shall then open the floor for nominations, whereupon board members may put forward and debate nominees. When debate ends, the mayor shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

(c) Mayor. The mayor may make nominations and vote on appointments under this rule.

(d) Multiple Appointments. If the board is filling more than one vacancy, each member shall have as

many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of members voting shall be required for each appointment. No member may cast more than one vote for the same candidate for the same vacancy during a single balloting.

(e) Duty to Vote. It is the duty of each member to vote for as many appointees as there are appointments to be made, but failure to do so shall not invalidate a member's ballot.

(f) Vote by Written Ballot. The board may vote on proposed appointments by written ballot in accordance with Rule 29.

Rule 39. Committees and Boards

(a) Establishment and Appointment. The board may establish temporary and standing committees, boards, and other bodies to help carry on the work of town government. Unless otherwise provided by law or the board, the power of appointment to such bodies lies with the board.

- (1) *Mayoral Appointments.* The Mayor shall make the following appointments after consultation with the Board:

Lake Norman Chamber
 Lake Norman Regional Economic Development Corporation
 Visit Lake Norman
 Charlotte Regional Transportation Planning Organization
 Centralina Carolina Council of Governments
 Lake Norman Transportation Commission
 North Mecklenburg Alliance
 Metropolitan Transportation Commission

- (2) *Board Appointments.* The Board of Commissioners shall appoint members of the following boards and committees:

Planning Board
 Design Review Board/Historic Preservation Commission
 Public Art Commission
 Livability Board

(b) Advisory Board Nominating Committee Appointment Procedure. The Mayor shall convene and chair a nominating committee. The other members of the committee shall be at least the following: the Town Manager, the staff liaisons, two elected officials, and the chairs (or their designee) of the Planning Board, Design Review Board, Livability Board and Public Art Commission. This nominating committee shall solicit nominations from the public. From these nominations, the committee shall choose a number of nominees equal to the number of vacancies on the boards, and shall make a recommendation to the Board of Commissioners.

To fill unexpired, mid-term vacancies on boards and committees: The mayor shall convene and chair an ad hoc committee consisting of the chair of the board, town manager, and the staff liaison(s) to the board. They will choose nominees from among applications previously submitted, or by soliciting nominations from the public. The committee will select the number of nominees equal to the number of vacancies, and recommend them to the Board of Commissioners.

(c) Open Meetings Law. The requirements of the open meetings law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the town's professional staff.

(d) Procedural Rules. The board may prescribe the procedures by which the town's appointed bodies operate, subject to any statutory provisions applicable to particular bodies. In the absence of rules adopted by the board, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.

Part XII. Miscellaneous

Rule 40. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the town charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the board's members, excluding vacant seats and counting the mayor only if the mayor may vote on all questions.

Rule 41. Reference to Robert's Rules of Order Newly Revised

The board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the mayor shall make a ruling on the issue subject to appeal to the board under Rule 31, Motion 1.