



## WORK SESSION

Thursday, May 07, 2026 at 5:30 PM

Landis Board Room

## AGENDA

---

**PLEASE SILENCE ALL CELL PHONES**

### **1. INTRODUCTION:**

- 1.1 **Call Meeting to Order**
- 1.2 **Welcome**
- 1.3 **Adoption of Agenda**

### **2. PRESENTATIONS:**

- [2.1](#) **Consider Presentation of Board Rules and Procedures by Geraldine Gardner with Centralina Regional Council**

### **3. CONSIDERATIONS:**

- 3.1 **Discussion of Budget Revenues and Stormwater Fees**
- 3.2 **Consider Discussion of the Agenda Packet for the May 11, 2026, Regular Scheduled Meeting in Order to Provide Opportunities for Board Members to Study Issues, Gather and Analyze Information, and Clarify Direction for Staff**

### **4. CLOSING:**

- 4.1 **Motion to Adjourn**



**TOWN OF LANDIS  
BOARD OF ALDERMAN RULES OF PROCEDURE**

**I. APPLICABILITY**

These rules apply to all meetings of the Board of Aldermen of the Town of Landis at which the board is empowered to exercise any of the executive, quasijudicial, administrative, or legislative powers conferred on it by law.

**II. REGULAR, SPECIAL AND EMERGENCY MEETINGS**

**Rule 1. Regular Meetings**

The Board of Aldermen shall adopt a schedule of its regular monthly meetings prior to the commencement of each calendar year. Regular meetings of the Board of Aldermen shall be held at Town Hall, located at 312 S. Main Street, Landis, North Carolina, and shall begin at 6: 00 p.m. A current copy of the board’s regular meeting schedule shall be filed with the town clerk, and available on the town’s official website.

**Rule 2. Special, Emergency, and Recessed Meetings**

**(a) Special Meetings:**

The Mayor, or two members of the Board of Aldermen may at any time call a special meeting of the board. At least forty-eight hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) given to each board member; (2) posted on the board’s principal bulletin board or, if none, at the door of the board’s usual meeting room; and (3) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk.

A special meeting may also be called or scheduled by vote of the board in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least forty-eight hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the board’s principal bulletin board or, if none, at the door of the board’s usual meeting room and (2) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for

notice with the town clerk. Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all members are present; and (2) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

**(b) Emergency Meetings:**

The Mayor, or two members of the Board of Aldermen may at any time call an emergency meeting of the board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each board member and to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request with the town clerk, and whose request includes the newspaper's, wire services, or station's telephone number. Notice to the news media shall be given at the expense of the party notified.

Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the board. Only business connected with the emergency may be considered at an emergency meeting.

**(c) Recessed Meetings:**

A properly called regular, special, or emergency meeting may be recessed to a time and place certain by a procedural motion made and adopted as provided in Rule 16(b), Motion 2, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed session of a properly called regular, special, or emergency meeting.

**(d) Cancellations:**

Three members of the Board of Aldermen, or the Town Manager, may at any time cancel any regular, special, or recessed meeting. Any regular, special, or recessed meeting may be cancelled upon a declaration of a state of emergency by the Town of Landis. In the event of such cancellations, the town shall cause a notice of the cancellation to be posted at the door of the board's usual meeting room.

**III. ORGANIZATION OF THE BOARD**

**Rule 3. Organizational Meetings**

The Board of Aldermen shall hold an organizational meeting at its regular meeting place at 6:00 p.m. on the second Monday in December following a regular municipal election, and quadrennially thereafter. Initially, the previous board shall convene, at which time it shall approve any prior minutes and may consider any unfinished business it desires to complete. It shall then adjourn *sine die*. Immediately following, the newly elected board shall convene and take and subscribe the oath of office as the first order of business. As the second order of business, the board shall elect a mayor pro-tem, using one of the nomination and voting procedures set out in Rule 25. The mayor pro-tem shall act as mayor whenever the mayor shall be absent from the town or be prevented by sickness or other cause from attending to the duties of his/her office, and he/she shall possess all the rights and powers of the mayor during the continuance of such vacancy, absence, or disability. The mayor shall preside at meetings of the Board of Aldermen and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him/her by the general laws of North Carolina, by the Town Charter, and the ordinances of the town. The mayor shall only vote in the event of a tie among the members of the Board of Aldermen.

**IV. AGENDA**

**Rule 4. Agenda**

**(a) Agenda:**

The town manager shall cause to be prepared an agenda and agenda package for each meeting. A request to have an item of business placed on the agenda may be raised by any board member as new business on the agenda, and upon receiving a majority vote, shall be placed on a future agenda as directed. An agenda package shall include, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce, and shall contain a copy of all proposed resolutions and ordinances as may appear on the agenda. Each board member shall receive a copy of the proposed agenda and agenda package no later than three (3) days prior to each regular meeting in digital form. The proposed agenda and agenda package shall also be available for public inspection and appear on the town’s official website no later than 48 hours prior to each regular meeting. Nothing in this section shall preclude the town manager from modifying the proposed agenda and agenda package at any time prior to a board meeting as the town’s business dictates.

**(b) Adoption of the Agenda:**

As its first order of business at each meeting, the board shall, as specified in Rule 6, discuss and revise the proposed agenda and adopt an agenda for the meeting. The board may by majority vote add items to or subtract items from the proposed agenda, except

that the board may not add items to the agenda of a special meeting unless (a) all members are present and (b) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all board members.

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

**(c) Open Meetings Requirement:**

The board shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number, or other designation, or other secret device or method, with the intention of making it impossible for people attending a meeting of the board to understand what is being deliberated, voted, or acted on. However, the board may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting.

**Rule 5. Petition of Citizens**

The board shall provide at least one period for public comment per month at its second regular monthly meeting of the board. In compliance with N.C.G.S. § 160A- 81.1, the board establishes the following policy for monthly public comments at the second regular meeting of the board of aldermen each month. The clerk shall provide sign-up forms at the entry to the town hall meeting room prior to each meeting for people who desire to address the board. Forms shall be available until the commencement of the board meeting. The purpose of the time for informal public comments is to allow for public input to the board on issues germane to the town. It is not intended to compel board members or staff to answer questions in an impromptu manner.

Each speaker will speak from the podium, and begin their remarks by giving their name, stating whether or not they are residents of the town, and stating the topic about which they intend to speak. Comments will be directed to the full board, not to an individual board member, staff members, or the audience. Speaker comments are limited to a maximum of three (3) minutes during the public comment period. At the conclusion of three (3) minutes, each speaker shall leave the podium. Speakers may not yield any of his or her time to another speaker.

Speakers must be courteous in their language and presentation. Personal attacks will not be tolerated. Speakers may leave written comments and/ or supporting documents, if any, with the town clerk.

If at the beginning of the public comment period, the mayor determines that the time required to hear all speakers on the sign-up sheet would unduly disrupt the conduct of town business or cause undue inconvenience to citizens in attendance for other items on the agenda, the mayor may require the designation of spokesman, or the selection of delegates, for groups of persons supporting or opposing the same positions, whose time shall be limited to a maximum of three (3) minutes. The mayor may also move the period for public comment to some time later in the meeting. Notwithstanding the mayor's prerogatives under this Rule 5, any decision of the mayor may be appealed and overruled by a majority of the Board.

**Rule 6. Order of Business**

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

- 1. Introduction
- 2. Consent Agenda
- 3. Presentations
- 4. Public Hearings
- 5. Citizen Comments
- 6. Ordinances/Resolutions
- 7. Old Business
- 8. Considerations
- 9. Department Reports
- 10. Reports
- 11. Upcoming Events
- 12. Closing

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

**v. CONDUCT OF DEBATE**

**Rule 7. Presiding Officer**

The mayor shall preside at board meetings if he/she is present, unless he/she becomes actively engaged in debate on a particular matter. In order to address the board, a member must be recognized by the mayor.

If the mayor is absent, the mayor pro-tem shall preside. If both the mayor and mayor pro-tem are absent, another member designated by majority vote of the board shall preside. The mayor pro-tem, or another member who is temporarily presiding retains all of his/her rights as a member, including the right to make motions and the right to vote.

If the presiding officer becomes actively involved in debate on a particular matter, he/she may designate another board member to preside over the debate. The presiding officer shall resume presiding as soon as action on the matter is concluded.

The presiding officer shall have the following powers:

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

A decision by the presiding officer under any of the first three powers listed may be appealed to the board upon motion of any member, pursuant to Rule 16, Motion 1. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if it is timely made, may not be ruled out of order.

**Rule 8. Action by the Board**

The board shall proceed by motion, except as otherwise provided for in Rules 3, 4, and 25. Any member, including the mayor, may make a motion.

**Rule 9. Second Required**

A motion requires a second before the board may proceed with discussion or action on the motion.

**Rule 10. One Motion at a Time**

A member may make only one motion at a time.

**Rule 11. Substantive Motions**

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

**Rule 12. Adoption by Majority Vote**

- (a) A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 22 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.
- (b) A roll call vote shall be required upon the request of the mayor, or at least two (2) other members of the board.

**Rule 13. Voting by Written Ballot**

The board may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the board shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the town clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

**Rule 14. Debate**

The mayor shall state the motion and then open the floor to debate. The mayor shall preside over the debate according to the following general principles:

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

**Rule 15. Ratification of Actions**

To the extent permitted by law, the board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

**Rule 16. Procedural Motions**

- (a) **Certain Motions Allowed.** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
- (b) **Order of Priority of Motions.** In order of priority (if applicable), the procedural motions are:

**Motion 1. To Appeal a Procedural Ruling of the Presiding Officer.** A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks, or entertaining and answering a question of

parliamentary law or procedure may be appealed to the board, as specified in Rule 7. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess to a time and place certain shall also comply with the requirements of Rule 2(c).

**Motion 3. To Take a Brief Recess.** This motion allows the board to pause briefly in its proceedings rather than to recess to a time and place certain.

**Motion 4. Call to Follow the Agenda.** The motion must be made at the first reasonable opportunity, or it is waived.

**Motion 5. To Suspend the Rules.** The board may not suspend provisions of the rules that state requirements imposed by law on the board. For adoption, the motion requires an affirmative vote equal to a majority of the entire membership of the board rather than of a quorum present.

**Motion 6. To Go into Closed Session.** The board may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318. 11( a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143- 318. 11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143- 318(a)(3) shall identify the parties in each existing lawsuit concerning which the board expects to receive advice during the closed session, if in fact such advice is to be received.

**Motion 7. To Leave Closed Session.** This motion is made to return from a closed session to an open meeting.

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

**Motion 9. To Defer Consideration (also, To Table).** The board may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires one hundred (100) days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion [Rule 16(b), Motion 14], or else move to suspend the rules [Rule 16(b), Motion 5].

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

**Motion 11. To Postpone to a Certain Time or Day.** If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules [Rule 16(b), Motion 5].

**Motion 12. To Refer a Motion to a Committee.** The board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty (60) days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported the matter to the board.

**Motion 13. To Amend.**

- a) An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.
- b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.
- c) Any amendment to a proposed ordinance or resolution shall be reduced to writing before the vote on the amendment.

**Motion 14. To Revive Consideration.** The board may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9 of Rule 16(b). The motion is in order at any time within one hundred (100) days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires one hundred (100) days after the deferral unless a motion to revive consideration is adopted.

**Motion 15. To Reconsider.** The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the "nos" prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place

certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

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

**Motion 17. To Prevent Reintroduction for Six Months.** The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to a majority of the entire membership of the board, rather than of a quorum. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the board, whichever occurs first.

**Rule 17. Renewal of Motion**

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

**Rule 18. Withdrawal of Motion**

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

**Rule 19. Duty to Vote**

Every member must vote unless excused by the remaining members of the board. A member who wishes to be excused from voting shall so inform the presiding official, who

shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the board or by law, or the member's official conduct, as defined by the board. In all other cases, a failure to vote by a member who is physically present in the board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

**Rule 20. Conflicts of Interest**

- a. Implicit in the operations and conduct of city government is the constant expectation that the board recognize that in all their transactions and at all times they are subject to the duty of undivided loyalty to the town. The nature of their obligations is such that it demands positive action on their part to affirmatively protect and promote the interest of the town committed to their care, and at all times to avoid situations where their self-interests, actual or apparent, may be of such nature or extent as to conflict with performance of that primary responsibility.
- b. The scope of human activity is so broad that it is unadvisable to attempt to enumerate here all possible areas in which a conflict of interest might arise. Consequently, the following is an illustrative list only, and is not intended to proscribe all aspects of the conduct of the board in their capacity as town elected officials:
  - i. No member of the board should use their positions or the knowledge gained therein in such manner that a conflict between the town's interests and their personal interests arise. Both the fact and the appearance of the conflicting interests are to be avoided.
  - ii. Members of the board should refrain from transmitting any knowledge of town considerations or decisions or any other information which might be prejudicial to the interest of the town to any person other than in connection with the discharge of their responsibility.
  - iii. If any applicable statutes or laws exist, strict compliance with the provisions of such statutes or laws is expected, whether local, state or federal.
  - iv. Whenever a board member has a personal interest, whether individually or through another party that has or may have business dealings with the town, he/she shall disclose that interest to the town manager for proper consideration and action.
  - v. Whenever a board member has an opportunity to engage in a transaction in which the town would otherwise wish to engage in,

- he/she shall disclose that interest to the town manager for proper consideration and action.
- vi. If a board member is in a position where access to the town's confidential information may materially influence his/her decisions in another party engaged in business with the town, he/she shall decline that information.
  - vii. If a board member is in a position where access to the town's confidential information may materially influence his/her personal financial or investment decisions, he/she shall decline that information.
  - viii. Board members shall at all times fully comply with the board's code of ethics.
- c. Members of the board shall comply with all laws and requirements governing conflicts of interest, self-benefiting, gifts and favors, and misuse of confidential information, as required by N.C.G.S. § 14-234, 14- 234. 1, and 133- 32.
  - d. If at any time an elected official finds that they are in doubt as to the proper application of the town's policy on conflicts of interest with respect to any particular situation, or they find that they might have a financial interest or outside relationship which might involve a conflict of interest, they should immediately make all the facts known to the town manager for proper consideration and action.

**Rule 21. Closed Session.**

The board may hold closed sessions as provided by law. The board shall commence a closed

session only after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. The board shall terminate the closed session by a majority vote, using Motion 7 of Rule 16(b).

Only those actions authorized by statute may be taken in closed session. A motion to adjourn shall not be in order during a closed session.

**Rule 22. Quorum**

- a. A majority of the actual membership of the board, excluding vacant seats, shall constitute a quorum. A majority is more than half. The mayor shall be considered a member of the board in determining the number on which a majority is based and in counting the number of members actually present. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

### **Rule 23. Public Hearings**

Public hearings required by law or deemed advisable by the board shall be organized by a resolution that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted for each speaker, and other pertinent matters. The resolution shall be adopted by a majority vote. Its specifications may include, but are not limited to, rules fixing the maximum time allotted to each speaker; providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the board room (so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the board room to listen to the hearing); and providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to board meetings shall also apply to public hearings at which a majority of the board is present; such a hearing is considered to be part of a regular or special meeting of the board. These requirements also apply to hearings conducted by appointed or elected committees of board members, if a majority of the committee is present. A public hearing for which any required notices have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 2(c) shall be followed in continuing a hearing at which a majority of the board, or of a board committee, as applicable, is present.

At the time appointed for the hearing, the presiding official or his/her designee shall call for a motion to open the hearing and then preside over it. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall entertain a motion to end the hearing.

### **Rule 24. Minutes**

Full and accurate minutes of the board proceedings, including closed sessions, shall be kept. These minutes and general accounts shall be open to inspection of the public,

except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and at the request of any member of the board, the entire board shall be polled by name on any vote.

Members' and other persons' comments may be included in the minutes if the board approves.

General accounts of closed sessions are sealed immediately against public inspection upon preparation. Sealed minutes shall be presented for approval by the Board of Aldermen during a closed session held following their preparation; likewise, any revisions deemed necessary by the Board of Aldermen shall also be sealed against public inspection. All sealed minutes shall be reviewed annually by the Mayor, the Town Manager, and the Town Attorney, who shall by majority opinion be empowered to unseal and release for public inspection any closed session minutes for which so doing would no longer frustrate the purpose of having met in closed session.

**Rules 25. Appointments**

- a. The board may consider and make appointments to other bodies, including its own committees, if any, only in open session. The board may not consider or fill a vacancy among its own membership except in open session. Appointments will be made according to the North Carolina General Statutes, when applicable.
- b. The board shall at all times comply with the North Carolina Constitutional and statutory prohibitions on dual-office holding.
- c. If an appointee has unexcused absences which constitute more than 25% of the board meetings in any calendar year which he/she is required to attend pursuant to his/her appointment, he/she may be asked to resign by majority vote of the board, commission or committee, if approved by the Board of Aldermen. Excused absences are defined as absences caused by events beyond one's control. If the individual refuses to resign when asked he/she may be dismissed by action of the Board of Aldermen subject to state or local law. A calendar year is to be defined as a 12-month period beginning on the date of appointment.
- d. Appointees must uphold town policies pertaining to the board, commission, or committee on which he/she serves.
- e. The town shall cause the following appointment information to be published on the town's official website for each board, commission, or committee where the town has an official appointment:
  - 1. The Name.
  - 2. A brief summary of its function.
  - 3. The total number of members and terms of office.
  - 4. The requirements for office and duties of each appointed position.

5. The current members, including names and terms served.
  6. The regular meeting day, time, and location, if available.
  7. The method by which each appointment is made.
- f. The board shall use the following procedure to make appointments to various other boards and committees:
1. Notification of available appointments. A list of available positions stating terms of office, requirements for office, and duties of positions shall be available for public inspection in the office of the town clerk and published on the town's official website at the beginning of each calendar year.
  2. Selection Process
    - i. Individuals interested in applying for appointment shall submit a written application on a form provided by the town to the town clerk and available on the town's official website.
    - ii. The town clerk shall provide the board with written notification that vacancies exist on the various boards, commissions, and committees appointed by the board or its members. This notification along with applications of interested citizens shall be provided to the board at a regular meeting.
    - iii. Nominations for vacancies may be made at the same meeting at which the vacancy is considered; provided, however, that upon a motion and second, nominations may be delayed until a subsequent meeting upon a simple majority vote. Once the floor is opened for nominations, the member or members shall put forth nominations with no second required and debate such nominations where necessary. When the debate has ended, and if only one nomination is made, the appointment shall be approved by a voice vote of a majority of the board. If more than one nomination is made, the town clerk shall call the roll of the members and each member shall cast a vote. The nominee who receives the highest votes shall be the nominee appointed.
  3. Applications. All applications for appointments shall remain active and on file with the town clerk for a period of one (1) year.

**Rule 26. Committees Boards**

- a. **Establishment and Appointment.** The board may establish and appoint members for such temporary and standing committees and boards as are required by law or needed to help carry on the board's work. Any specific provisions of law relating to particular committees and boards shall be followed.
- b. **Open Meetings Law.** The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of a local governmental unit that are composed of two or more members and that exercise or are authorized to exercise legislative, policymaking, quasijudicial, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among the town's professional staff.

**Rule 27. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute or a rule of the board provides otherwise. Adoption of an amendment shall require an affirmative vote equal to a quorum.

**Rule 28. Reference to *Robert's Rules of Order***

The board shall refer to the current edition of Robert's Rules of Order Newly Revised to answer procedural questions not resolved in these rules so long as RONR does not conflict with North Carolina law or with the spirit of these rules.



# DRAFT LANDIS RULES OF PROCEDURE DISCUSSION

ENSURING EFFECTIVE GOVERNANCE  
THROUGH ESTABLISHED PROCEDURAL  
STANDARDS

# Why Rules of Procedure Matter

They promote **fairness and consistency** by ensuring all members, the presiding officer, and the public understand how decisions are made and how participation is managed.

They increase **transparency and public trust** by providing clear, predictable processes that align with state law and accepted best practices.

They support **efficient and defensible decision-making** by reducing confusion, minimizing procedural disputes, and helping boards focus on the substance of their work rather than the process.

# Review Process

## Review of UNC School of Government (SOG) Models

- The UNC School of Government develops model rules aligning with state law to reduce legal risk and support orderly meetings.

## Assess Draft Landis Rules Alignment

- Reviewing Landis Rules through the SOG framework helps ensure compliance with public administration standards and legal requirements.

# Today's Discussion Framework

Share Purpose & SOG Alignment Results for Context

Review Each Proposed Rule for Clarity

Discuss Proposed Changes or Modifications

***Post-Meeting:*** *Revise Rules (as needed). Consider in April*

# Applicability of the Rules (Section 1)

## Purpose of the Section

- Establishes when and to whom the Rules of Procedure apply, ensuring consistent governance across all official Board actions.

## Alignment with SOG Standards

- Consistent with SOG model language

## Discussion Question

- Does the applicability statement clearly capture every setting where the Board should be operating under formal procedure?

# Meeting Types and Notice Requirements (Section 2 Rules 1-2)

## Purpose of the Section

- Rule 1: Provides predictability and transparency by setting a regular, publicly known meeting schedule for conducting Town business.
- Rule 2: Defines how and when the Board may meet outside the regular schedule, while protecting transparency, notice, and public access.

## Alignment with SOG Standards

- Consistent with SOG model language for meeting types and noticing requirements

# MEETINGS AND NOTICE

**DOES THE SCHEDULE-AND-POSTING APPROACH WORK OPERATIONALLY FOR THE BOARD AND THE PUBLIC (TIMING, LOCATION, ACCESSIBILITY)?**

**DO THE SPECIAL MEETING NOTICE AND "ONLY NOTICED ITEMS" LIMITS PROVIDE ENOUGH FLEXIBILITY WHILE PROTECTING TRANSPARENCY?**

**ARE THE RECESSED MEETING RULES CLEAR ENOUGH THAT EVERYONE UNDERSTANDS WHEN NOTICE IS (AND ISN'T) REQUIRED?**

# Board Leadership Structure (Rule 3)

## Purpose of the Section

- Ensures an orderly transition after elections and clearly establishes Board leadership and presiding authority.

## Alignment with SOG Standards

- Consistent with SOG model language for organizational meeting timing and sequence, presiding/voting structure for mayor and mayor pro-tem

# Agenda Management (Rule 4)

## Purpose of the Section

- Structures how business comes before the Board so members and the public can prepare, understand, and follow decisions.

## Alignment with SOG Standards

- Consistent with SOG model language
- Missing element: rules for consent agenda

*For example: process to request an item moved from the consent agenda; items on the consent agenda must be voted on and adopted by a single motion, etc.*



# Agenda Management (Rule 4)

## Agenda Preparation Responsibility

The Town Manager is responsible for preparing the agenda and packet before the meeting.

## Advance Distribution

Agendas and packets must be distributed to Board members in advance for review.

## Public Availability and Transparency

Meeting agendas must be publicly available prior to meetings to ensure transparency.

## Agenda Adoption and Amendments

Agendas are adopted by majority vote and may be amended except for special meeting additions.

# **AGENDA PREPARATION AND ADOPTION**

**DO THE AGENDA PACKET TIMING AND  
AMENDMENT RULES GIVE THE BOARD  
ENOUGH FLEXIBILITY WHILE SUPPORTING  
PUBLIC TRANSPARENCY?**

## **Petition of Citizens - Public Participation (Rule 5)**

### Purpose of the Section

- Guarantees the public an opportunity to address the Board while maintaining order, fairness, and meeting efficiency.

### Alignment with SOG Standards

- Consistent with SOG model language - balancing public access with meeting order

### Discussion Question

- Does this public comment structure provide fair access while keeping meetings orderly and efficient?

# Order of Business (Rule 6)

## Purpose of the Section

- Creates a logical, predictable flow for meetings while allowing flexibility when needed.

## Alignment with SOG Standards

- Consistent with SOG model language

## Discussion Question

- Does this order of business reflect how Landis prefers to conduct meetings—or should the order be adjusted?

# Presiding Officer (Rule 7)

## Purpose of the Section

- Clarifies who manages the meeting and ensures fair debate, orderly conduct, and consistent application of rules.

## Alignment with SOG Standards

- Consistent with SOG model language: early agenda adoption

## Discussion Question

- Do these presiding officer authorities and the appeal process strike the right balance between order and shared governance?

# Parliamentary Structure (Rules 8-11):

## *Guides how the meeting is presided over*

Purpose of the Section:

- Rule 8: Establishes that the Board acts collectively and formally, not through informal discussion or individual direction.
- Rule 9: Ensures that proposals brought forward have at least minimal support before consuming Board time.
- Rule 10: Prevents confusion and keeps Board deliberations focused and understandable.
- Rule 11: Distinguishes between policy decisions and procedural actions to preserve orderly debate.

Alignment with SOG Standards

- Consistent with SOG model language

# Parliamentary Structure (Rules 12-15)

## Purpose of the Section

- Rule 12: Defines how decisions are made and recorded, reinforcing democratic decision-making and accountability.
- Rule 13: Allows flexibility in voting methods while maintaining transparency and an auditable public record.
- Rule 14: Promotes fair participation by all Board members and balanced discussion before decisions are made.
- Rule 15: Allows the Board to formally approve prior actions taken on its behalf to ensure legal clarity and accountability.

## Alignment with SOG Standards

- Generally consistent with SOG model language
- Rule 13: SOG's procedural guidance emphasizes transparent voting outcomes and clear minutes. Many SOG adapted municipal rules treat written ballots cautiously and often reserve them for limited contexts to reduce ambiguity.

# Parliamentary Structure (Rules 16- 19 )

## Purpose of the Section

- Rule 16: Provides a clear, limited toolbox for managing meetings efficiently and resolving procedural questions without confusion
- Rule 17: Balances finality with flexibility by allowing issues to be revisited when circumstances change.
- Rule 18: Permits refinement of proposals and prevents unnecessary votes when consensus is lacking.
- Rule 19: Reinforces Board members' responsibility to participate in decisions and ensures a clear public record.

## Alignment with SOG Standards

- Consistent with SOG model language

# Conflict of Interest (Rule 20)

## Purpose of the Section

- Rule 20: Protects the integrity of Board decisions by requiring disclosure, avoidance of self-interest, and compliance with law..

## Alignment with SOG Standards

- Consistent with SOG model language - emphasizes that procedural rules should reinforce ethical decision-making, conflicts disclosure, and compliance with state law

## Discussion Question

- Are the expectations for disclosure and recusal clear enough that Board members will feel confident applying them in real time?

## **Closed Session (Rule 21)**

## **Also Rule 16 Motion 6 & Motion 7**

### Purpose of the Section

- Rule 21: Allows confidentiality via a closed session only when legally permitted, while safeguarding transparency and proper process.

### Alignment with SOG Standards

- Consistent with SOG model language - emphasizes clear motion language, permissible purposes, and careful record management.

### Discussion Question:

- Do these closed-session steps provide sufficient clarity so that the Board stays consistently within lawful purposes and process?

# Quorum (Rule 22)

## Purpose of the Section

- Rule 22: Defines the minimum participation required to ensure that Board actions are legitimate and representative.

## Alignment with SOG Standards

- Consistent with SOG model language

## Discussion Question:

- Should Landis add an explicit remote/electronic participation rule? And if so, clarify that remote attendance does not count toward quorum or voting.

# Public Hearing (Rule 23)

## Purpose of the Section

- Rule 23: Establishes a fair and orderly process for receiving public input on matters requiring or benefiting from formal hearings.

## Alignment with SOG Standards

- Consistent with SOG model language - emphasizes clear hearing parameters to ensure fairness, manage time, and preserve public access.
- Does not distinguish between “legislative public hearings” from “quasi judicial hearings” the procedures

# Public Hearing (Rule 23) - Distinguish “legislative public hearings” from “quasi judicial hearings” ?

The UNC School of Government consistently emphasizes:

- Boards must identify the type of hearing before it begins
- Procedures should match the Board’s legal role
- Rules of Procedure should either: distinguish procedures between hearing types, or reference separate quasi-judicial procedures

## Definitions

- Legislative public hearings are held when the Board is making policy or setting rules that apply generally to the community.
  - Examples: budget adoption, ordinance adoption
- Quasi-judicial hearings are held when the Board is applying existing law to a specific property, person, or situation, similar to how a court operates.
  - Examples: Conditional/special use permit, variances, administrative appeals

# Minutes (Rule 24)

## Purpose of the Section

- Rule 24: Creates an official, accurate public record of Board actions and decisions.

## Alignment with SOG Standards

- Consistent with SOG model language - clear action protect the integrity of board action.

## Discussion Question

- Do the minutes requirements (especially vote recording and closed-session minute review) reflect the Board's expectations for transparency and recordkeeping?

# Appointments & Committees (Rules 25 & 26)

## Purpose of the Section

- Rule 25: Ensures appointments to boards and committees are made transparently, fairly, and in compliance with state law.
- Rule 26: Clarifies how advisory and working bodies are formed and ensures open-meetings compliance where required.

## Alignment with SOG Standards

- Consistent with SOG model language - transparency

# Appointments & Committees (Rules 25 & 26)

## Purpose of the Section

- Rule 25: Ensures appointments to boards and committees are made transparently, fairly, and in compliance with state law.
- Rule 26: Clarifies how advisory and working bodies are formed and ensures open-meetings compliance where required.

## Alignment with SOG Standards

- Consistent with SOG model language - transparency

# Amendments & Use of Roberts Rules (Rules 27 & 28)

## Purpose of the Section

- Rule 27: Provides a structured way for the Board to update its procedures intentionally and transparently.
- Rule 28: Supplies a procedural backstop for uncommon situations while keeping North Carolina law and local rules primary.

## Alignment with SOG Standards

- Consistent with SOG model language - supports a mechanism for the board to evolve its procedures intentionally and transparently.
- Robert's Rules functions as a backstop—not the primary operating manual