

**VILLAGE OF MARVIN**  
**PARKS, RECREATION AND GREENWAYS ADVISORY BOARD**  
**RULES OF PROCEDURE**  
*Adopted 4/5/2022*

**SECTION 1      APPOINTMENT OF THE BOARD**

The Village of Marvin Parks, Recreation and Greenways Advisory Board shall consist of five (5) members who have been duly appointed by the Village Council. All members must be residents of the Village of Marvin. One elected Village Council member shall serve as a non-voting ex-officio member of the Board.

Members of this Board must be at least 18 years of age to serve. All Board members must sign a Conflict-of-Interest form, which does not preclude appointment to the Board.

The terms of office for the members shall be for three years; except that for the initial terms of office, two members shall be appointed for two years and three members shall be appointed for three years. All subsequent terms of office shall be for three years. Vacancies arising on the Board shall be filled by the Village Council for the balance of the unexpired term. An orientation meeting for newly-appointed Board members shall be conducted by the Chair within 60 days of appointment.

**SECTION 2      OFFICERS**

The Council shall initially appoint the Chair and Vice-Chair to serve until March 1, 2011 at which time the Chair and a Vice-Chair shall be elected by the Board members. Each officer shall serve for a one (1) year term but may be elected by the Board membership for successive terms to the same office. Annually, at the meeting of the Board held in the month of March, a Chair and Vice-Chair shall be elected. Each officer shall serve until relieved of his duties as herein provided. If an officer vacancy occurs, the Board shall elect an officer to fill the office for the duration of the term.

The Chair shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The Chair or designated representative shall also be responsible for presentations at Village Council meetings reporting key actions taken and recommendations made by the Board. The Vice-Chair shall serve as acting Chair in the absence of the Chair, and at such times he/she shall have the same powers and duties as the Chair.

**SECTION 3      DUTIES OF OFFICERS**

The Chair shall preside at all meetings of the Board. The Chair shall appoint all subcommittees, represent the Board at public affairs and shall maintain the dignity and efficiency of the Board in all possible ways. The Chair shall meet with Village Staff to discuss preparation of agendas, reports and other matters that concern the Board. The Chair shall perform the other duties ordinarily performed by that office.

The Vice-Chair of the Board shall, in the absence of the Chair, perform all duties of the Chair. The Vice-Chair shall be responsible for assisting the Chair and to see that all standing and temporary subcommittees function as planned by the Board and Village staff.

At each meeting, a designated staff representative shall keep or cause to be kept a full and true permanent record of all meetings of the Board and all votes of members of the Board upon any resolution or upon the final determination of any question, indicating the names of members absent. The Board minutes and records shall be kept at the office of the Village Clerk.

**SECTION 4      COMPENSATION AND EXPENSES**

Members of the Board receive a stipend for each Parks, Recreation, and Greenways Board meeting attended in an amount consistent with the annual budget to be paid in accordance with board stipend policies. The members of the Board shall be entitled to reimbursement for subsistence and travel to appropriate professional recreation meetings, conferences and workshops, which must be pre-approved by the Village Manager, with such reimbursement being made in compliance with the current Village policies.

## **SECTION 5        RULES OF CONDUCT FOR MEMBERS**

Members of the Parks, Recreation and Greenways Advisory Board serve at the pleasure of the Village Council and the Village Council may remove any member of the Board at any time with or without cause.

No member of the Parks, Recreation and Greenways Advisory Board shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Parks, Recreation and Greenways Advisory Board which may result in a private benefit to themselves, their immediate relatives or their business interest. A member may be excused from voting on a particular issue under the following circumstances:

1. If the member has a direct financial interest in the outcome of the matter at hand; or
2. If the matter at hand involves the member's own official conduct; or
3. If the member has such close personal ties to the issue being considered, that he/she cannot reasonably be expected to exercise sound and impartial judgment on behalf of the public's interest.

The member shall state the nature of the conflict to the Board, who shall take action by a majority vote to excuse the member from participation during consideration of that matter. The recusal of a member due to a conflict of interest shall not constitute an absence in accordance with the section below.

In order for the Parks, Recreation and Greenways Advisory Board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. Attendance is governed by policy #P-2013-12-01 which states that if a volunteer Board Member misses two consecutive meetings or four meetings in a six-month period, the Mayor or a Council representative will meet with the Board Chair to determine possible action. Action may involve removal from the Board, to be decided at the next regular Council meeting.

## **SECTION 6        MEETINGS**

The Parks, Recreation and Greenways Advisory Board shall meet monthly and at other times as may be necessary to transact business, upon the call of the Chair or upon call by a majority of the Board members, or upon call of the Village Council. A quorum of the Board shall be in attendance before action of an official nature can be taken. General parliamentary rules shall be observed in conducting meetings.

At the first regular meeting in March 2011, and in each ensuing year in March the organizational meeting for the coming year will be held with election of officers, annual report and subcommittee reports.

## **SECTION 7        SUBCOMMITTEES AND STANDING SUBCOMMITTEES**

The Board shall organize temporary or standing subcommittees as it deems necessary in order to carry out the responsibilities of the Board. Such subcommittees shall be appointed by the Chair. The Board may refer any matter to a subcommittee before action is taken on the subject by the Board. Each subcommittee shall consist of at least one member of the Board. Subcommittees may be composed of members from the community, representatives of civic groups or others. A record of the actions of each subcommittee shall be kept by the Subcommittee Chair and reported to the Board at its next meeting.

## **SECTION 8        AMENDMENTS**

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

*Adopted this 18<sup>th</sup> day of December 2009.*

*Amended this the 10<sup>th</sup> day of December 2013.*

*Amended this 24<sup>th</sup> day of March, 2014.*

*Amended this the 28<sup>th</sup> day of April 2014.*

*Amended this 7<sup>th</sup> day of April 2020.*

*Amended this 28<sup>th</sup> day of January 2021.*

*Amended this 4<sup>th</sup> day of May 2021.*

*Amended this 5<sup>th</sup> day of April 2022.*

# APPENDIX A

## RULES OF PROCEDURE FOR ELECTRONIC MEETINGS OF MARVIN VILLAGE COUNCIL

The Village Council of the Village of Marvin, North Carolina, recognizes that Article 33C of Chapter 143 of the North Carolina General Statutes contemplates that official meetings of public bodies, such as the Marvin Village Council, may take place by electronic means. In fact, §143-318.10(d) of the North Carolina General Statutes states that an official meeting can, “mean[s] a meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body.” The Rules of Procedure for Electronic Meetings are a guide for how Council will conduct meetings featuring electronic participation.

### 1. Meetings to Which These Rules Apply

These Rules of Procedure for Electronic Meetings (“Electronic Rules”) shall apply to meetings of the Marvin Village Council and to any other public bodies existing under the authority of the Village of Marvin (as such bodies follow Village Council’s rules). The Electronic Rules are supplemental to the Rules of Procedure approved by the Village Council for its meetings. Electronic Meetings can take place for any regular, special, or emergency meeting of the Marvin Village Council, subject to the conditions governing the use of Electronic Meetings.

### 2. Conditions Necessary for Electronic Meetings

The Village Council agrees that electronic meetings will only be permitted when any of the following entities declare that a state of emergency or a disaster exists in an area including the Village of Marvin: the federal government of the United States of America; the Government of the State of North Carolina through the Governor of the State of North Carolina or other method permitted by Chapter 166A of the North Carolina General Statutes; Union County, North Carolina; or the Village of Marvin, through the Mayor or other methods permitted by Chapter 33 of the Marvin Village Code. The state of emergency declaration or disaster declaration must be related to a distinct event that reasonable persons can agree directly affects the Village of Marvin (for example, a determination that an emergency exists under the National Emergencies Act related to piracy conducted by Somali pirates would not reasonably be related to the Village of Marvin and cannot support use of electronic meetings). If no state of emergency or disaster exists, then the Electronic Rules may not be used.

### 3. Definition of an Electronic Meeting

An Electronic Meeting is any meeting where one or more members of the Village Council participates through telephonic communication, or a telecommunications application which allows simultaneous communication by multiple parties, or other similar means that allows the members of the Village Council to hold a meeting without all members being physically present in the same room.

### 4. Notice of Electronic Meeting

If an Electronic Meeting is necessary, a public notice of the electronic meeting shall be sent as part of any notice required by North Carolina General Statutes §143-318.12. The public notice, in addition to the information required by North Carolina General Statutes §143-318.12, shall provide:

- a. The location of the physical meeting (which is where any Councilmembers and Staff able to attend the meeting in person shall gather); and
- b. The location of where a member of the public, member of the media, or others, may listen to the Electronic Meeting in accordance with § 143-318.13 of the North Carolina General Statutes.

The notice shall be provided in the manner required by Article 33C of Chapter 143 of the North Carolina General Statutes. If the Electronic Meeting is being used for any part of a regular meeting that is on the meeting schedule adopted by the Village Council, then the information required above shall be provided in a separate notice to be provided in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes. Any notice provided may also be posted on the Village of Marvin’s bulletin board, website and social media accounts, if possible.

5. Quorum

Councilmembers present in person or electronically, shall be included in the calculation for determining if a quorum exists of the Village Council. If a Councilmember who participates electronically withdraws from the meeting, the rest of the meeting may be completed provided there is still a quorum of the Village Council present either in person or electronically. Any Councilmember withdrawing from the meeting shall no longer be included for purposes of the quorum calculation.

6. Process of Opening Meeting

Immediately prior to opening the meeting, the Mayor, Mayor Pro Tem, or other presiding officer shall communicate with the Councilmember(s) who is (are) participating electronically and ensure that he/she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line or application shall be kept open. At the start of the meeting, the Mayor, Mayor Pro Tem, or presiding official shall state which Councilmembers are participating electronically.

7. Voting and Discussion

Councilmembers present for the meeting through electronic means are eligible to vote for all items considered by the Village Council during the meeting. However, Councilmembers present for the meeting through electronic means will not be permitted to vote on any quasi-judicial matters coming before the Council. Also, a member voting must indicate verbally with a "yes," "no," "yea," "nay," "or "abstain" (when that is permitted) such that the Village Clerk or her designee may record the vote. Prior to taking a vote on any issue, the Mayor, Mayor Pro Tem, or other presiding officer shall inquire of the Councilmembers participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, if any, and shall allow those Councilmembers to make any comments he or she desires, if they chose to not avail himself or herself of the opportunity to discuss the matter before the vote. However, it is the responsibility of the member to gain the attention of the Mayor or the presiding officer in order to be recognized for discussion. A Councilmember attending through electronic means that withdraws from the meeting without being excused from further attendance shall not be considered an affirmative vote on items before Council. If a Councilmember attending through electronic means becomes disconnected from the meeting, the Councilmember will not be counted as an affirmative or negative vote.

8. Minutes

The minutes of the meeting shall designate the name of each Councilmember who participated electronically, the nature of the electronic communication, and the duration of the Councilmember's participation.

Adopted this the 7<sup>th</sup> day of April 2020 by Village of Marvin Council for All Advisory Boards