

Summary of Substantive Changes in the Chatham County Advisory Committee Policy

This document outlines the key substantive changes made in the updated Advisory Committee Policy, highlighting new provisions, expansions of existing policy areas, and improvements to committee oversight and operations. All the changes described are either new additions or substantive revisions from the previous policy.

1. Establishment and Dissolution of Advisory Committees

New Provisions Introduced:

- Establishes a formal process for creating new advisory committees through Board of Commissioners (BOC) resolution for more effective Administration. *(Section 2.A)*
- Defines clear criteria for committee creation, such as alignment with county priorities, departmental requests, and statutory mandates. *(Section 2.A)*
 - Provides general guidelines but retains BOC ability to create any committees granted they are pursuant to NCGS § 153A-76.
- Allows for temporary or time-limited committees via "sunset clauses" granted they are allowed pursuant to NCGS § 153A-76 *(Section 2.A)*.
- Specifies conditions and procedures for dissolution, including inactivity, redundancy, or fulfillment of purpose. *(Section 2.C)*
- Legal authority explicitly grounded in NCGS § 153A-76. *(Section 2.B)*

Impact: Provides a legally grounded and transparent framework for forming and dissolving advisory committees, ensuring better alignment with county objectives and legal clarity.

2. Membership Eligibility and Restrictions

Expanded Requirements:

- Members must be at least 18 and residents of Chatham County (with limited exceptions for property or business owners). *(Section 3.A)*
- Prohibits service by individuals currently engaged in litigation with the County, those holding elected office (unless the position is expressly designated for such representation), County employees, and immediate family members of current committee members from serving on the same committee. *(Section 3.A)*

- Requires all applicants, including those seeking reappointment, to complete a formal application to ensure consistency and standardization in the appointment process. *(Section 3.B)*

Impact: Strengthens the integrity and neutrality of advisory committees by reducing conflicts of interest and standardizing applicant qualifications.

3. Designated Commissioner Recommendations

Clarification and Process Deadlines:

- Adds a subsection outlining the process for seats designated for commissioner recommendations. *(Section 3.D)*
- Specifies that for a vacancy, a commissioner shall submit their recommendation within five months of the vacancy occurrence. *(Section 3.D.)*
- Specifies that for an expiring term, a commissioner shall submit their recommendation within three months from the end of the term. *(Section 3.D.)*
- If the seat remains vacant following either of these periods, the vacancy shall be brought before the Board of Commissioners for consideration. *(Section 3.D.)*

Impact: Improves timeliness and efficiency in filling vacancies for committee efficacy while preserving individual commissioner input.

4. Terms and Reappointment

Clarified in Final Draft:

- Terms begin on March 1 (changed from July 1) and end on February 28/29. *(Section 3.E)*
- Includes formal process for staggering terms. *(Section 3.E)*
- Clarifies that members may serve up to one year beyond expiration if a successor is not yet appointed. *(Section 3.E)*

Impact: Ensures smoother transitions and consistent service by managing term overlaps and appointment delays.

5. Resignation and Removal Procedures

Newly Defined Procedures:

- Clear process for resignations and required documentation. (*Section 3.F*)
- Grounds for removal now explicitly include absenteeism, neglect of duties, policy violations, and changes in eligibility. (*Section 3.G*)

Note: These removal conditions serve as general guidance, the BOC retains the authority to remove or not remove a member.

Impact: Provides structure for voluntary and involuntary departures while reaffirming Board discretion.

6. Defined Roles and Staff Responsibilities

Expanded Role Descriptions:

- Introduces the "Staff Lead" role with duties including agenda coordination, compliance, and onboarding. (*Section 4.E*)
- Clarifies expectations for the Chair, Vice Chair, and Secretary roles, including coordination with staff and documentation requirements. (*Section 4.A–4.D*)

Impact: Improves committee functionality and consistency by clearly defining operational roles and staff support expectations.

7. Voting Procedures and Conflict of Interest Management

Voting Protocols:

- Defines quorum clearly and prohibits proxy/email voting to comply with Open Meetings Law. (*Section 5.C*)
- Introduces structured excusal process for conflicts of interest, including vote by committee and recording in minutes. (*Section 5.C*)

Note: In the new policy, there is clarification that vacant committee seats do not count toward Quorum.

Impact: Reduces procedural ambiguity and enhances transparency and fairness in decision-making.

8. Subcommittees

Structure and Oversight:

- Subcommittees must be authorized by vote of the full committee with quorum. *(Section 5.A)*
- Subcommittees must comply with Open Meetings Law if quorum of the full committee is present. *(Section 5.A)*
- Subcommittees report to the full committee and may not act independently. *(Section 5.A)*

Impact: Prevents misuse of subcommittees and ensures consistent oversight and compliance with public meeting requirements.

9. Meeting Practices and Accessibility

Strengthened Requirements:

- Meeting access rules expanded to include remote and hybrid options. *(Section 5.B)*
- All meetings must comply with ADA accessibility standards. *(Section 5.B)*
- Public comment is allowed at the committee's discretion. *(Section 5.B)*

Impact: Expands public access options and gives committees flexibility in how they receive public input.

10. Annual Reports and Committee Evaluation

Structured Reporting Framework:

- Committees must submit an annual report using a standard template and present it in person. *(Section 6)*
- Committees may be evaluated for inactivity and realigned or dissolved, at the BOC's discretion. *(Section 6)*

Impact: Provides clear expectations for committee accountability and enables ongoing performance evaluation.

11. Ethics and Conduct Requirements

New Policy Section Introduced:

- Defines expectations around professionalism, nonpartisan conduct, and use of position. *(Section 7)*
- Introduces "conflict of commitment" language for members unable to fulfill participation duties. *(Section 7)*
- Requires signed acknowledgment and ethics training within 90 days of appointment. *(Section 7; Policy Acknowledgment)*

Impact: Establishes enforceable ethical standards to promote respectful and effective committee participation.

12. Administrative Oversight and Recordkeeping

Administrative Structure Added:

- Assigns the County Manager's Office responsibility for oversight, application processes, rosters, training, and public records compliance. *(Section 8)*
- Requires public access to minutes and documentation. *(Section 8)*
- Mandates a formal policy review at least every four years by the County Manager's Office. *(Section 8)*

Impact: Creates consistent administrative oversight and enhances transparency and accountability of committee records and operations.

12. Administrative Oversight and Recordkeeping

Administrative Structure Added:

- Adds a new section (Section 9) specifying that the Board of Commissioners may designate other boards, commissions, or committees outside of advisory committees in Attachment A, to be subject to specific provisions in this policy.
- Clarifies which sections of the Advisory Committee Policy are applicable when extended to other boards and committees. *(Section 9.B)*
- Provides a list of specific boards and committees that are currently designated to follow the applicable sections. *(Section 9.C)*

Impact: Establishes a formal framework for applying consistent procedures to other boards and committees not subject to this policy otherwise. This change promotes policy uniformity, improves compliance, and strengthens administrative oversight across all appointed bodies under the County's purview.

Sections in the Policy Rewrite:

- 1. Definitions**

New. Provides standardized definitions of key terms used throughout the policy.

- 2. Section 2.A–2.C: Establishment, Authority, and Dissolution of Advisory Committees**

Expanded. While the previous policy mentions advisory committee creation and dissolution briefly, the new version formalizes and expands the process, including specific criteria and legal authority notation (NCGS § 153A-76).

- 3. Section 3.D: Appointment Procedures**

Expanded and clarified. Previously included in a general paragraph about appointments, now separated with new structured processes for commissioner-designated recommendations and associated deadlines.

- 4. Section 4.E: County Staff Lead Responsibilities**

New. Responsibilities of County staff supporting the committee were not formally defined in the previous policy.

- 5. Section 5.B: Public Access and Compliance**

Expanded. Open meetings law was mentioned in the previous policy, but this section expands on accessibility (ADA, hybrid meetings) and clarifies that public comment is at the committee's discretion.

- 6. Section 5.C: Quorum and Voting**

Clarified. Previously scattered references to quorum and attendance are consolidated and clarified. Adds language prohibiting email and proxy voting and introduces conflict of interest excusal process.

- 7. Section 6: Reporting and Accountability**

Expanded. The previous policy required an annual report but did not include presentation, standard formatting, or committee evaluation criteria.

- 8. Section 7: Ethics and Conduct**

New. This section clarifies behavioral expectations, conflict of commitment, and ethics training, none of which were outlined in the previous version.

9. Section 8: Administration and Policy Updates

New. Assigns administrative responsibilities to the County Manager's Office and introduces routine policy review. These functions were implicit, absent, or different in the prior version.

10. Section 9: Applicability to Other Boards and Committees

New. Introduced to allow the Board of Commissioners to designate non-advisory committees that will follow specific sections of the Advisory Committee Policy. Provides greater consistency across appointed bodies and ensures administrative alignment.

11. Policy Acknowledgment

Expanded. While the previous policy included a brief onboarding section, this adds a formal acknowledgment of policy receipt and compliance requirements, including a 90-day ethics training mandate.