

ADDENDUM D
CHATHAM COUNTY
ADVISORY COMMITTEE
RULES OF PROCEDURE FOR ELECTRONIC MEETINGS
DURING STATES OF EMERGENCY

The Chatham County Board of Commissioners recognizes that Article 33C of Chapter 143 of the North Carolina General Statutes contemplates that official meetings of public bodies, advisory committees established by the Chatham County Board of Commissioners, may take place by electronic means. In fact, §143-318.10(d) of the North Carolina General Statutes states that an official meeting is, “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 advisory committees established by the Chatham County Board of Commissioners 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 all Chatham County public advisory boards, committees, commissions, and councils as established (herein and after referred to as “citizen advisory committees”) by the Chatham County Board of Commissioners and enumerated in the Chatham County Citizen Advisory Committees Policy as may be revised from time to time. The Electronic Rules are supplemental to the Rules of Procedure approved by the Chatham County Board of Commissioners for its meetings. Electronic Meetings can take place for any regular, special, or emergency meeting of the Chatham County Board of Commissioners, subject to the conditions governing the use of Electronic Meetings.

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2. Conditions Necessary for Electronic Meetings

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 Chatham County: 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; or Chatham County, North Carolina. The state of emergency declaration or disaster declaration must be related to a distinct event that reasonable persons can agree directly affects Chatham County (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 Chatham County and cannot support use of electronic meetings). If no state of emergency or disaster exists, then these 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 citizen advisory committee 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 citizen advisory committee 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 citizen advisory committee member 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 County Board of Commissioners, 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 Chatham County bulletin board, website and social media accounts, if possible.

5. Quorum

Citizen advisory committee members present in person or electronically, shall be included in the calculation for determining if a quorum exists of the citizen advisory committee. If a committee member who participates electronically withdraws from the meeting, the rest of the meeting may be completed provided there is still a quorum of the committee members present either in person or electronically. Any committee member 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 Chair, Vice Chair, or other presiding officer shall communicate with the citizen advisory committee member(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 Chair, Vice Chair, or presiding official

shall state which citizen advisory committee members are participating electronically.

7. Voting and Discussion

Citizen advisory committee members present for the meeting through electronic means are eligible to vote for all items considered by the citizen advisory committee during the meeting. Also, a member voting must indicate verbally with a “yes,” “no,” “yea,” “nay,” “or “abstain” (when that is permitted) such that the vote may properly and accurately record into the minutes of the citizen advisory committee. Prior to taking a vote on any issue, the Chair, Vice Chair, or other presiding officer shall inquire of the citizen advisory committee members 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 citizen advisory committee members 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 Chair or the presiding officer in order to be recognized for discussion. A committee member 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 the citizen advisory committee. If a committee member attending through electronic means becomes disconnected from the meeting, the citizen advisory committee member will not be counted as an affirmative or negative vote.

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8. Minutes

The minutes of the meeting shall designate the name of each citizen advisory committee member who participated electronically, the nature of the electronic communication, and the duration of the committee member’s participation.