



Ordinance: General Rules of Procedure for Summerfield Committees	Effective Date: 04/01/2008
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Responsible Party: Town Council	Revision Page Number: 7, 3 & 4, 6



ORDINANCE
ESTABLISHING THE GENERAL RULES OF PROCEDURE
FOR SUMMERFIELD COMMITTEES

Adopted
March 31, 2008
Effective April 1, 2008
Updated July 9, 2013

○ Denotes Updated Text

**Ordinance Establishing the General Rules of
Procedure for Summerfield Committees**

WHEREAS, the Town of Summerfield is a municipality located in Guilford County, North Carolina with an estimated population of 7,423 residents;

WHEREAS, Summerfield prides itself on an active and informed volunteer corps of citizens;

WHEREAS, in order to provide guidance, leadership, and policies to the Council appointed volunteer committees currently established, or that may be established in the future by the Summerfield Town Council;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Summerfield adopts this ordinance establishing general rules of procedure for Summerfield Committees.

Adopted this 31st day of March , 2008.

Mayor

Attest:

Approved as to form:

Valarie Halvorsen, Town Clerk

William Hill, Town Attorney

**Ordinance Establishing the
General Rules of Procedure for Summerfield Committees**

- A. Purpose:** The purpose of this ordinance is to provide the standard operating procedures to be used by all Summerfield Committees with the exception of the Zoning Board and Board of Adjustment, which have their own statutory rules and regulations contained in State Law or the Summerfield Development Ordinance.

Committees created by Ordinance by the Summerfield Town Council may include language or procedures that supersede the standards established herein, as long as the language or procedure does not violate any state or federal law.

- B. Creation and Establishment:** Each Committee of the Town of Summerfield shall be established by the creation of a Committee Ordinance.

C. Term of Office/Qualifications:

1.) It is the intent of the Town Council to ensure that the widest variety of citizens participate in government by appointing members who represent the diversity of the community. Committee membership is specifically reserved to residents of the Town of Summerfield, except as provided for in vii below, or by specific ordinance or policy of the Town Council. Summerfield does not discriminate on the basis of gender, ethnic, or socio-economic background. The following rules apply:

- i. Appointments and re-appointments to all committees shall be made on the basis of the fiscal year, except those appointments made to fill an empty seat, see iii below. Applications must be received by May 31st of each year for appointments beginning July 1.
- ii. Each member may serve up to three, two-year terms (six years total). For those members that have served before July 1, 2008 the following will apply:
 - a. Members that have served less than two (2) years may serve an additional three (3) terms.
 - b. Members that have served between two and four (2-4) years may serve an additional two (2) terms.
 - c. Members that have served more than four (4) years may serve an additional one (1) term.
- iii. If a member is appointed to fill a seat from someone who has resigned, then that person may sit for the remaining period of the vacated seat plus an additional three, two-year terms.
- iv. Members who have rotated off the committee may return after a period of one year.
- v. If no citizen has been approved by Council to fill an available seat, an existing member may continue to serve until the next fiscal year. If a citizen applies and is approved by Council during this period, then both the new appointee and the existing member may continue to serve until the end of the fiscal year.

- vi. Town Council members may only serve in an *ex-officio* capacity unless specifically appointed by Town Council or Town Ordinance.
- vii. Committee members who are spouses of current sitting Town Council members may only serve in an *ex-officio* capacity; other relatives are not affected.
- viii. Effective on the date of approval of this ordinance, any current voting member of any Committee that is not a resident of the Town of Summerfield may serve an additional single two-year term. If such individual becomes a resident they may be re-appointed as established herein. If such individual does not become a resident then they may be appointed as an *ex-officio* member by Town Council.
- ix. Non-residents of the Town of Summerfield may be appointed as *ex-officio*, or non-voting, members of any committee that allows for *ex-officio* membership for the same terms available to citizens (three, two-year terms).

2.) The number of members shall be established by Town Council.

3.) Criteria for membership shall be established by Town Council.

D. Compensation: Committee members will not be compensated for their time while serving on the committee. Reimbursement for expenses directly attributed to activities of the committee such as travel, attendance at out-of-town meetings, and reimbursements for purchases made as part of an ongoing project or event are allowed following the established reimbursement procedures for the Town of Summerfield.

E. Duties and Responsibilities: Each Committee will have specific duties and responsibilities established by Ordinance.

F. Organization, Rules, Records, and Meetings:

- 1.) A Committee Organizational Meeting shall be held annually at the first available committee meeting after the July Town Council meeting to elect officers. Each officer is elected to serve a one-year term which is renewable at the next annual election. In the event that an officer cannot serve due to resignation or other reasons, the committee shall elect an interim officer to fill the position until the next organizational meeting.
- 2.) The Committee shall have the following organizational structure: Chairperson, Vice-Chairperson, Secretary, Treasurer, and Web Liaison. One person may hold two positions with the exception that one person cannot hold both Chair and Vice-Chair. Each of these positions is described below.
 - i. The Chairperson is responsible for organizing and running meetings and activities of the committee, and reporting to Town Council through oral or written reports.
 - ii. The Vice-chair is to fulfill the duties of the chair if the chair is unable or unavailable to fulfill their role.

- iii. The Secretary is required to take minutes of all meetings and keep track of volunteer hours of the committee members. Minutes shall be required to follow the adopted minute format for the Town of Summerfield. If the Secretary is not available for a meeting then it is the Chair's responsibility to delegate the role of Secretary.
- iv. The Treasurer is responsible for acting as a liaison to the Finance Officer and Finance Committee for the purpose of ensuring that expenditures of the committee fall within budgeted amounts and procedures as established by the Town.
- v. The Web Liaison is responsible for ensuring that information about the committee and its activities is maintained and up-to-date on the Town website.

- 3.) Minutes: Minutes shall be taken in accordance with Town Policy.
- 4.) Notice of Meeting: The Committee will establish a monthly meeting date, time and location each November for the following year and will make every effort not to deviate from this schedule. Additional meetings or changes to meeting dates shall be made at least two weeks in advance. Special meetings shall be utilized as little as possible and must be called at least three business days in advance except in extraordinary circumstances. Notice of any meeting shall be forwarded to the Town Clerk and Town Manager as soon as possible after the meeting is called. The Town Clerk will post the meeting notice at Town Hall and on the website, will inform Council of the meeting, and will provide notice to the news media as requested by the news media outlet.
- 5.) Conduct of the meeting: The Committee will make every effort to conduct its business in a professional and timely manner ensuring that all representatives have the opportunity to contribute to the meeting and that all sides of an issue are investigated to the best of the committee's ability. All regular meetings shall have a citizen comment period at the beginning of the meeting that shall consist of a 20 minute period limited to three minutes from each speaker. The length of the period and the length attributed to each speaker can be modified at the discretion of the Chair, as long as the minimum length is maintained.
- 6.) Quorum: Every effort will be made by all committee members to attend all meetings of the committee. Teleconferencing is allowed as long as the member not in attendance can hear and participate in the discussion. The minutes should reflect that they participated by teleconference.
 - i. If a committee member misses more than 25% of the regular meetings within any twelve month period, the chair will inform the Town Manager with a recommendation to either recommend removal or continuance on the committee. Any request for removal must be in writing and include the dates missed and the reasons given. The circumstances of each individual will be taken into account before a recommendation to remove is forwarded to the Town Council.

- - ii. Quorum shall be determined by dividing the total number of voting members minus any vacant positions in half (rounding down), then adding one. Example #1: with no vacant seats 12 members = $(12/2) + 1 = 6 + 1 = 7$ members for a quorum.
Example #2: 12 member committee with one vacant seat = $(12-1)/2 + 1 = 5 + 1 = 6$ members for quorum

7.) Sub-Committees: Committees have the authority to establish sub-committees of the membership to further the goals and mission of the committee. Any sub-committee created must report to the committee at regular meetings. A recommendation to expend committee funds must be made by a quorum. Sub-Committees must follow all rules of the full committee such as quorum, notice, minutes, etc.

G. Annual Report: The committee shall prepare an annual report in January detailing their accomplishments in meeting their goals and objectives during the preceding year.

H. Staff and Technical Services: The Town Manager will assign a staff member as a liaison to work with the committee. Staff will not be required to attend all meetings, but shall be available with reasonable notice to meet with the committee or representatives to discuss goals and objectives of the committee. Additional requests for resources in time or materials shall be requested through the Town Manager. Requests for additional staff or technical services shall follow policies established in **I** below.

I. Receipts and Expenditures of Funds: It is the policy of the Town of Summerfield to provide the committee the required resources and authority to expend funds already budgeted through the annual budget authorization process.

- 1.) The committee is granted the right to expend budgeted funds with approval of the Town Manager and Finance Officer. Requests shall be made in writing in accordance with the Town of Summerfield Purchasing Policy and Procedures Manual.
- 2.) If the committee makes a request for funding that was not approved during the adoption of the fiscal budget, then a budget amendment meeting the policies established for Budget Amendments shall be required.
 - i. If the request is a transfer of funds between budget items that does not request additional funds, the request may be granted by the Town Manager and the Finance Officer and shall be reported to the Town Council at the next regular meeting of the Town Council.
 - ii. If the request is for additional funds, then the request must be approved according to the adopted Town of Summerfield Purchasing Policy and Procedures Manual and fiscal year operating budget ordinance for the Town of Summerfield.
 - iii. Funding requests for new staff or technical services shall only be approved by the Town Council.

J. Agency Funds: The Town of Summerfield recognizes that citizens, non-profits, and businesses may offer donations to the committees to further the committee's goals and mission. The committees are authorized to accept donations, grants, and other funds from outside sources with the requirement that all requests for donations be approved by the Town Manager, Finance Officer and Town Attorney to confirm that required state and federal law is being followed.

The following procedures shall be followed by all Committees of the Town:

- 1.) Any formal fund raising activities shall be approved by Town Council before fund raising begins.
- 2.) Donations that are not designated for a specific request shall be used to assist in the funding of the committee.
- 3.) Donations designated for specific items or programs shall be reserved in a restricted internal account expressly established to hold these funds.
- 4.) Any expenditure of funds from reserved accounts shall be approved by the Town Council through the regular budget approval process or budget amendment process. Requests for funding shall expressly state if donated funds are to be allocated for the project or program.

K. Ethics and Conflicts of Interest: Each committee member is expected to act in a manner to maintain their integrity and independence, yet be responsive to the interests and needs of the Town, Town Council and staff.

- 1.) Committee members shall understand their role as an advisory committee and respect the decisions made by the Town Council and staff.
- 2.) Committee members have legitimate interests (economic, professional, and vocational) of a private nature. Committee members shall not be denied, nor should they deny to other committee members or citizens the opportunity to acquire, retain, and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Committee members must exercise their best judgment to determine when this is the case.
- 3.) Committee members will understand that the actions of their committee may interfere with, or be counter to, the actions of another committee of the Town Council. When this occurs, it is incumbent upon the committee members to properly discuss the issues arising from such conflict and be willing to accept the decisions made by other committees, staff, and Town Council as acting in the best interest of the citizens of Summerfield.
- 4.) Committee members should conserve the resources of the Town in their charge. They should employ Town equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
- 5.) Committee members have a *Fiduciary Duty* to the Town and Committee, not their own or other private interests. Any possible fiduciary conflicts shall be disclosed to the committee and the Town Council.
- 6.) A criminal background check may be preformed on any committee applicant.

L. Grounds for Removal of a Committee Member:

Committee members represent the Town in a variety of ways while serving their community. It is not the intent of the Town Council to deny the inherent Free Speech rights of community members serving on committees. The Town Council reserves the right to remove any individual from any committee at any time for any reason. Examples that may lead to removal include, but are not limited to, the following:

- 1.) Excessive absences from committee meetings.
- 2.) Verbally or physically abusive behavior toward other committee members, the public, or staff.
- 3.) Inability to work for the common good of the committee and Town.
- 4.) Violations of the Ethics and Conflicts of Interest (Section K, above).
- 5.) **Violations of any sections of the general or committee specific ordinances.**
- 6.) **Past or present criminal charges or judgments or professional misconduct actions.**

M. Complaints against Committee Members: Committee members hold a position of trust and responsibility within the community. Complaints made regarding the actions or behavior of a committee member must be made in writing with as much detail as possible regarding the circumstances of the complaint. Complaints will be reviewed by the Town Manager and reported to Council for further action.

N. Definitions:

- 1.) Ex-Officio: As defined under this ordinance, an individual appointed to a committee, but not having the full rights and privileges to vote on matters of the committee.
- 2.) Fiduciary Duty: A legal relationship between two or more parties. The fiduciary relationship is highlighted by good faith, loyalty, trust and a duty not to profit from their fiduciary position without express knowledge and consent. A fiduciary cannot have a conflict of interest.