Town of Spring Lake
Board of Commissioners
Rules of Procedure

Adopted January 8, 2024
Amended September 9, 2024
Amended January 13, 2025
Amended November 24, 2025
Amended September 14, 2026

Introduction

The Town of Spring Lake has a five-member Board of Commissioners elected at large every four (4) years. The Board sets Policies and enacts Ordinances administered by the Town Manager and his or her staff.

The following Rules of Procedure were developed for use by the Board of Commissioners of the Town of Spring Lake. They incorporate general principles of parliamentary procedure and the applicable laws of North Carolina. The Rules were designed with the following guidelines in mind:

1. The Board must act as a body;
2. The Board should proceed in the most efficient manner possible;
3. The Board must act by a majority vote;
4. Every Board Member must have an equal opportunity to participate in decision-making;
5. These Rules must be followed consistently;
6. The Board's actions should be the result of a decision on the merits and not a manipulation of the procedural Rules;
7. Throughout these Rules, the Town's Governing Board, the Board of Commissioners of the Town of Spring Lake, is referred to as the "Board."

When situations that are not explicitly covered by these Rules and cannot be resolved through reasonable inference from or interpretation of these Rules, then Robert's Rules of Order shall be followed. Having consulted Robert's Rules of Order, the Mayor shall make a ruling on the issue subject to appeal to the Board under Rule 16, Motion 1.

These rules apply to all meetings of the Town of Spring Lake Board of Commissioners. For purposes of these rules, a meeting of the Board occurs whenever a majority of the Board gathers, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business with the Board's real or apparent jurisdiction.

Amendment of the Rules.

These rules may be amended at any Regular meeting or at any properly called Special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the Town Charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the Board, excluding vacant seats and counting the Mayor only if the Mayor may vote on all questions.

Rule 1. Regular Meetings.

a. The Board shall hold scheduled meetings on the second and fourth Monday of each month, except if the scheduled meeting falls on a legal holiday. The Board, by Resolution, may fix the time and place of its scheduled meetings if such Resolution is adopted at least ten (10) calendar days before the first meeting to which the Resolution is to apply. The

Board shall post a copy and summary on the Town's website and bulletin board and email it to the Sunshine List.

b. The meeting shall be held in the Grady Howard Conference Room in Town Hall and shall begin at 6:00 pm.
c. If the Board makes changes to its posted schedule of Regular meetings, it shall do so at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule and shall post written notice of the meeting on the Town's website, the Town's bulletin board and emailed to the Sunshine List.
d. A copy of the Board's current meeting schedule shall be filed with the Town Clerk.
e. All meetings will be available via a live broadcast on YouTube.
f. All Regular meetings will provide a Public Comment section as set out in these adopted Rules of Procedure.

Rule 2. Special, Emergency, Remote, and Recessed or Adjourned Meetings.

Special Meetings.

a. Special meetings may be called or scheduled by the Mayor, Mayor Pro Tempore, or any two (2) members of the Board by notifying the Town Clerk.
b. The Special meeting Public Notice shall specify its time, place, and purpose and must be distributed at least 48 hours in advance of the meeting to each Board member, each Department Head, and the Town Attorney and must be posted on the Town's website and the Town's bulletin board.
c. In addition, the Public Notice shall be emailed to all persons or news organizations who have requested such notice (Sunshine List).
d. Only those items of business specified in the notice may be discussed or transacted at a Special meeting called in this manner, unless all members are present or those not present have signed a written waiver of notice, and the Board determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

Emergency Meetings.

a. Emergency meetings of the Board 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.
b. Emergency meetings may be called or scheduled by the Mayor, Mayor Pro Tempore, or any two (2) members of the Board by notifying the Town Clerk.
c. The Emergency meeting Public Notice shall specify its time, place, and purpose and be distributed at least six (6) hours in advance of the meeting to each Board member, each Department Head, and the Town Attorney and must be posted on the Town's website and the Town's bulletin board.
d. In addition, the Public Notice shall be emailed to all persons or news organizations who have requested such notice (Sunshine List).

Remote Meetings.

a. A member who is not physically present for a Board meeting may participate in the meeting by electronic means as described in the Town's Policy #8 (Remote Voting at Board Meetings, adopted 11/10/2015.)
b. A member who attends a meeting electronically pursuant to such policy may take part in debate, and the member may be counted toward a quorum and vote on any matter before the Board.

Recessed or Adjourned Meetings.

a. 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, Motion 2, in Open Session during the Regular, Special, or Emergency meeting.
b. The motion shall state the time and place when the meeting will reconvene. No further notice needs to be given of a Recessed Session of a properly called Regular, Special, or Emergency meeting.

Rule 3. Organizational Meeting.

a. The Board must hold an Organizational Meeting following each General Election in which Commissioners are elected. The Organizational Meeting will be held either (1) on the date and at the time of the Board's first Regular meeting in December following the election or (2) at an earlier date, if any, set by the incumbent Board of Commissioners. The Organizational Meeting may not be held before municipal election results are officially determined, certified, and published as required by law.
b. All newly elected or reelected members of the Board must take and subscribe to the Oath of Office set out in Article VI, Section 7 of the North Carolina Constitution. Each member's Oath must be filed with the Town Clerk. Although a member who is not present for the Organizational Meeting may take the Oath of Office at another time, every member must take, subscribe, and file the Oath of Office before he or she begins performing any of the duties of the member's office.
c. At the Organizational Meeting, the Board shall elect from among its members a Mayor Pro Tempore to serve at the Board's pleasure.
d. The Agenda for the Organizational Meeting shall be limited to, unless at the Mayor's discretion, induction and taking Oath(s) of Office of all newly elected or reelected Board Members. (Amended 11-24-25)

Rule 4. Agenda.

Proposed Agenda.

a. The Mayor, at his or her discretion, may meet or discuss with staff preceding the next scheduled meeting to prepare the Proposed Agenda.
b. The Town Clerk shall prepare a Proposed Agenda for each meeting.
c. A request to have an item of business placed on the agenda must be submitted to the Town Clerk no later than noon five (5) days preceding the upcoming meeting. (Amended 9-9-24)

d. A copy of all proposed Ordinances or Resolutions shall be attached to the Proposed Agenda.
e. An Agenda Packet shall be prepared that includes, for each item of business placed on the Proposed Agenda, as much background information on the subject available and feasible to reproduce.
f. The Town Clerk shall distribute the Agenda Packets by noon four (4) days preceding the upcoming meeting to the Mayor, Board, Town Manager, Town Attorney, and Department Heads. (Amended 9-9-24)
g. A copy of the Agenda Packet shall be available for public inspection after distribution to the individuals in Section F. has been completed. A copy of the Agenda Packet shall also be posted on the Town's website. In addition, the Agenda Packet shall be emailed to all persons or news organizations who have requested such notice (Sunshine List). A copy of the agenda will be posted on the Town's bulletin board.
h. A complete copy of the Agenda Packet shall be available for public inspection in the Town Clerk's office.

Adoption of the Agenda.

a. As its fourth order of business at each meeting, the Board shall, as specified in Rule 6, discuss, and revise the Proposed Agenda and adopt a formal agenda for the meeting. If items are proposed to be added (this practice is discouraged, since the Board members will not have reviewed the item ahead of time) to the agenda of a meeting, the Board may, by majority vote, require that written copies of documents connected with the items be made available at the meeting to all Board members.
b. The Board may, by majority vote, add or delete items from the Proposed Agenda, except under the following conditions: (1) the Board may not add or subtract items from the Proposed Agenda stated in the Notice of a Special meeting called by the Mayor, Mayor Pro Tempore, or two (2) Board members, unless those calling the meeting to consent the deletion and all members must be present, or those who are absent sign a written waiver of notice, and (2) only business connected with the emergency may be considered at an Emergency meeting.
c. The Board may add items to the Proposed Agenda of a Special meeting only if it determines in good faith at the meeting that it is essential to discuss or act on the item immediately.
d. The Board may designate certain agenda items "for discussion and possible action." Such designation means that the Board intends to discuss the item and may if it so chooses, act on the item following the discussion.

Consent Agenda.

a. The Board may designate a part of the agenda as the "Consent Agenda."
b. Items shall be placed on the Consent Agenda if they are judged to be noncontroversial and routine.
c. Any member may remove an item from the Consent Agenda and place it on the Regular Agenda while the agenda is being discussed and revised before its adoption.

d. All items on the Consent Agenda shall be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item.
e. The Board may informally dismiss an agenda item even when no motion regarding that item is pending.

Open Meeting Requirements.

a. Except as permitted by Rule 24, all meetings of the Board shall be open to the public, and any person may attend its meeting.
b. The Board shall not deliberate, vote, or otherwise act on any matter by reference to a letter, number, other designation, or other secret device or method, to make it impossible for persons attending a meeting of the Board to understand what is being deliberated, voted, or acted on.
c. The Board may, however, deliberate, vote, or otherwise act by reference to an agenda, if copies of the agenda are available for public inspection at the meeting, and must be sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on.

Rule 5. Public Address to the Board.

a. Any individual or group who wishes to address the Board shall request to be on the agenda to the Town Clerk by the deadline specified in Rule 4(c), under Proposed Agenda.
b. The Mayor is not obligated to place an item on the agenda merely because such a request has been received.
c. The Mayor will determine if they will be on the agenda as a separate item, or should address the Board during the Public Comment period.
d. There will be a Public Comment period at all meetings, including, Regular, Special, Emergency, and Work Sessions.

Rule 6. Order of Business.

a. Items shall be placed on the agenda according to the Order of Business.
b. The Order of Business for each regular meeting shall typically be as follows:
    - Call to Order
    - Invocation and Pledge of Allegiance
    - Additions or Deletions
    - Approval of Agenda
    - Approval of Consent Items
    - Public Comment (if any)
    - Presentations (if any)
    - Public Hearings (if any)
    - Old Business (if any)
    - New Business, to include Mayor, Board of Commissioners, Town Manager, and Town Attorney Reports
    - Closed Session (if a motion is made)

- Adjournment

c. By general consent of the Board, items may be considered out of order as it is not required for the category to be listed on the agenda.

Rule 7. Office of Mayor.

a. The Mayor or Presiding Officer shall preside at all meetings of the Board but shall have the right to vote only when there is a tie.
b. To address the Board, a member must be recognized by the Mayor or other Presiding Officer.
c. The Mayor or other Presiding Officer shall have the following powers:
    1. To rule motions in or out of order, including any motion offered for obstructive or dilatory purposes;
    2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
    3. To entertain and answer questions of parliamentary law or procedure;
    4. To call a brief recess at any time;
    5. To adjourn in the event of an emergency.
d. A decision by the Presiding Officer under (a), (b), or (c) may be appealed to the Board upon motion of any member, pursuant to Rule 16 under Order of Priority Motions, Motion 1.
e. Such a motion is in order immediately after a decision under (a), (b), or (c) is announced and at no other time.
f. 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.

Rule 8. Office of Mayor Pro Tempore.

a. A Board member who serves as Mayor Pro Tempore shall be entitled to vote on all matters and shall be considered a Board member for all purposes, including the determination of whether a quorum is present.
b. In the Mayor's absence, the Mayor Pro Tempore assumes all the Mayor's powers and duties, to preside at the meeting as specified in Rule 7.
c. If the Mayor should become physically or mentally unable to perform the duties of his or her office, the Board may by unanimous vote, declare the Mayor is incapacitated and shall assign all the Mayor's powers and duties to the Mayor Pro Tempore. When a Mayor declares he or she is no longer incapacitated, and a majority of the Board concurs, the Mayor shall resume the exercise of his or her powers and duties.
d. Even when presiding over a Board meeting, the Mayor Pro Tempore has the same duty as other members to vote in all questions unless he or she has been excused from voting on a matter in accordance with Rule 19.
e. If both the Mayor and Mayor Pro Tempore are absent from a meeting, the Board may elect from among its members a temporary chairman to preside at the meeting. While serving as temporary Presiding Officer, a member has the powers listed in Rule 7(c). Service as a

temporary Presiding Officer does not relieve a member of the duty to vote on all questions unless excused from voting pursuant to Rule 19.

Rule 9. When the Presiding Officer is in Active Debate.

a. If the Mayor becomes active in debate on a particular proposal, he or she may have the Mayor Pro Tempore preside during the Board's consideration of the matter.
b. If the Mayor Pro Tempore is absent or is also actively debating the matter, the Mayor may designate another member to preside until the matter is concluded. Similarly, if the Mayor Pro Tempore or a temporary Presiding Officer is presiding and takes an active part in debating a topic, he or she may designate another Board Member to preside temporarily.

Rule 10. Action by the Board.

a. Except as otherwise provided in these rules, the Board shall act by motion.
b. Any Board Member may make a motion.

Rule 11. Motions.

a. A Board Member may make only one (1) motion at a time.
b. A motion shall require a second, or it shall fail for lack of a second.

Rule 12. Substantive Motions.

a. A substantive motion is out of order while another substantive motion is pending.
b. Once the Board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 16, Motion 15.

Rule 13. Adoption by Majority Vote.

a. A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 25 being present unless otherwise required by these rules or the state law.
b. A majority is more than half.

Rule 14. Discussion.

a. After a motion has been made, the Mayor or the Presiding Officer shall state the motion and then open the floor to debate according to the principles listed below:
    1. The maker of the motion is entitled to speak first;
    2. A member who has not spoken on the issue shall be recognized before a member who has already spoken;
    3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.

Rule 15. Ratification of Actions.

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

Rule 16. Procedural Motions.

Certain Motions Allowed.

a. The Board may consider only those procedural motions listed in this rule.
b. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption.
c. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

Priority of Motions. The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that:

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 14, and
- a motion to call the question (end debate) may be made regarding any procedural motion in accordance with Motion 11.

When several procedural motions are pending, voting must begin with a procedural motion highest in priority, provided that a motion to amend or end debate in the highest priority motion must be voted on first.

- **Motion 1. To Appeal a Procedural Ruling of the Presiding Officer.** Any member may appeal in the Presiding Officer's ruling on whether a motion is in order or whether a speaker has violated reasonable standards of courtesy. The Presiding Officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the Presiding Officer, and if timely made, the motion may not be ruled out of order.
- **Motion 2. To Adjourn.** This motion may be used to close a meeting. It is not in order if the Board is in Closed Session.
- **Motion 3. To Recess to a Time and Place Certain.** This motion may be used to call a Recessed meeting as permitted under Rule 2. The motion must state the time (including the date, if the meeting will reconvene on a different day) and the place at which the meeting will resume. The motion is not in order if the Board is in Closed Session.
- **Motion 4. To Take a Brief Recess.** This motion may be made only by the Mayor or the Presiding Officer.
- **Motion 5. To Follow the Agenda.** This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.
- **Motion 6. To Suspend the Rules.** To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds (2/3) of the Board's actual membership, excluding vacant seats and not counting the Mayor if the Mayor votes only

in case of a tie. The Board may not suspend provisions in these rules that are required under state law.

- **Motion 7. To Go into Closed Session.** The Board may go into Closed Session only for one (1) or more of the permissible purposes listed under Rule 24.
- **Motion 8. To Leave Closed Session.** A motion must be made to come out of Closed Session during open meeting.
- **Motion 9. To Divide a Complex Motion.** This motion is in order whenever a member wishes to consider and vote on parts of a complex motion separately. The member who makes this motion must specify how the complex motion will be divided.
- **Motion 10. To Defer Consideration.** The Board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Board votes to revive it pursuant to Motion 14 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.
- **Motion 11. To End Debate (Call the Previous Question).** This 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 12. To Postpone to a Certain Time.** This motion may be employed to delay the Board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.
- **Motion 13. To Refer a Motion to a Committee.** The Board may vote to refer a substantive motion to a committee for its study and recommendations. While the substantive motion is pending before the committee, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the committee fails to report on the motion within sixty (60) days of the referral date, the Board must take up the motion if asked to do so by the member who introduced it.
- **Motion 14. To Amend.**
    a. A motion to amend must concern the same subject matter as the motion it seeks to alter.
    b. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.
    c. Any amendment to a proposed Ordinance shall be reduced to writing before the vote on the amendment.
- **Motion 15. To Revive Consideration.** The Board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 10, provided it does so within 100 days of its vote to defer consideration.
- **Motion 16. To Reconsider.** The Board may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting during which the action to be reconsidered was taken and (b) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting

through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Board's deliberation on a pending matter.

- **Motion 17. To Rescind.** The Board may vote to rescind an action taken at a prior meeting provided rescission is not forbidden by law. A motion to rescind must be made by a member who voted with the prevailing side unless there are no remaining Board members who voted with the prevailing side on the current Board.
- **Motion 18. To Prevent Reintroduction for Six (6) Months.** This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive votes equal to at least two-thirds (2/3) of the Board's actual membership, excluding vacant seats and not counting the Mayor. If this motion is adopted, the ban on reintroduction in effect for six (6) months or until the Board's next Organizational meeting, 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 reintroduction has been adopted.

Rule 18. Withdrawal of Motion.

The member who introduces a motion may withdraw the motion unless the motion has been amended or the Presiding Officer has put the motion to a vote.

Rule 19. Duty to Vote.

a. **Duty to Vote.** Every Board member must vote except when excused from voting as provided by this rule.
b. **Grounds for Excusal.** A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not proposal in question is one to alter the compensation or allowances paid to the Board. Members may also be excused from voting when prohibited from voting under NCGS §14-234 (contract providing direct benefit to member), NCGS §160A-381(d) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on the member), or NCGS §160A-388(e)(2) (Member's participation in the quasi-judicial decision would violate affected person's right to an impartial decision maker). Questions about whether a basis for excusal exists should be directed to the Town Attorney.
c. **Procedure for Excusal.**
    1. **At Member's Request.** Upon being recognized at a duly called meeting of the Board, a member who wishes to be excused from voting shall inform the Presiding Officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is excused from voting on the matter.
    2. **On the Board's Initiative.** Even when a member has not asked to be excused from voting on a matter, a majority of the remaining Board members present may by motion

and vote to excuse the member from voting if grounds for doing so exist under Paragraph (b).

d. **Consequence of Non-Excused Failure to Vote.** Except as specified in Paragraph (e), if a member who has not been excused from voting fails to vote in a matter, the member's failure to vote shall be recorded as an affirmative vote provided:
   (1) the member is physically present in the Board Chamber or
   (2) the member has physically withdrawn from the meeting without being excused by a majority vote of the remaining members present.

e. **Failure to Vote on Certain Zoning Matters.** A member's excused failure to vote shall not be recorded as an affirmative vote if the motion concerns a proposal to amend, supplement, or repeal a Zoning Ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

f. **Changing a Vote.** A member may change his or her vote on a motion at any time before the Presiding Officer announces whether the motion has passed or failed. Once the Presiding Officer announces the result, a member may not change his or her vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the Presiding Officer's announcement of the result.

Rule 20. Introduction of Ordinances.

a. For purposes of these rules, the "date of introduction" for a proposed Ordinance is the date on which the Board first votes on the proposed Ordinance subject matter.
b. The Board votes on the subject matter of a proposed Ordinance when it votes on whether to adopt or make changes to the proposed Ordinance.

Rule 21. Adoption, Amendment, and Repeal of Ordinances

a. **Adoption of Ordinances.**
   1. *Proposed Ordinances to be in writing.* No proposed Ordinance shall be adopted unless it has been reduced to writing and distributed to the Board before a vote on adoption is taken.
   2. *Adoption on the date of introduction.* To be approved on the date of introduction, a proposed Ordinance or any action having the effect of an Ordinance must receive affirmative votes equal to at least two-thirds (2/3) of the Board's actual membership, excluding vacant seats and not counting the Mayor, unless the Mayor has the right to vote on all questions before the Board.
   3. *Adoption after the date of introduction.* To be approved after the date of introduction, a proposed Ordinance or any action having the effect of an Ordinance must receive affirmative votes equal to at least a majority of all Board members not excused from voting on the matter. In calculating the number of affirmative votes necessary for approval, the Board shall count the Mayor if he or she votes on all questions. If the Mayor votes only in the case of a tie, the Mayor's vote counts if there is an equal division.

b. **Amendment and Repeal of Ordinances.**
    1. The same voting requirements that govern the adoption of proposed Ordinances also apply to the amendment or repeal of an Ordinance.

Rule 22. Adoption of the Budget Ordinance.

Notwithstanding any provision in the Town Charter, general law, or local act:

1. Any action concerning the adoption or amendment of the Budget Ordinance may be taken at any Regular or Special Meeting of the Board by a simple majority of those present and voting, a quorum being present;
2. No action taken concerning the adoption or amendment of the Budget Ordinance need be published or is subject to any other procedural requirement governing the adoption of Ordinances or Resolutions by the Board; and
3. The adoption or amendment of the Budget Ordinance and the levy of taxes in the Budget Ordinance are not subject to provisions of any Town Charter or local act concerning initiative or referendum.

During the period beginning with the submission of the Budget to the Board and ending with the adoption of the Budget Ordinance, the Board may hold any Special meetings that may be necessary to complete its work on the Budget Ordinance. Except for the notice requirements of the Open meetings law, which continue to apply, no provision of law concerning the call of Special meetings applies during that period so long as (a) each member of the Board has actual notice of each Special meeting called to consider the Budget, and (b) no business other than consideration of the Budget is taken up. This rule shall not be construed to authorize the Board to hold Closed Sessions on any basis other than the grounds set out in Rule 24.

Rule 23. Rules of Debate and Decorum.

1. *Manner of speaking*. Every member desiring to speak shall address the chair and upon recognition by the Mayor shall confine him or herself to the question under debate, avoiding all personalities and indecorous language.
2. *Interrupting the speaker*. A member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order or as otherwise provided under applicable rules of parliamentary procedure. If a member while speaking is called to order, he or she shall cease speaking until the questions or order is determined, and if in order, he or she shall be permitted to proceed.
3. *Addressing the Board*. Any person desiring to address the Board shall first secure the permission of the Mayor. Any interested parties or their authorized representatives may request to address the Board on matters listed on the agenda of the Board. After the Board begins discussing the issue, no person shall address the Board.
4. *Manner of Addressing the Board*. Every person addressing the Board shall give his or her name and address for the record, and unless special time is granted by the Board, shall limit his or her remarks to three (3) minutes. All remarks shall be addressed to the Board as a body and not to any member thereof. No person other than Board members and the person

having the floor shall be permitted to enter any discussion either directly or through a member of the Board. No question shall be asked a member except through the Mayor.

5. *Request to have Statement Abstracted*. A member may request from the Mayor the privilege of having an abstract of his or her statement on any subject under consideration by the Board entered in the minutes.
6. *Request to Record Synopsis of Discussion in the Minutes*. The Clerk may be directed by the Mayor, with the consent of the Board, to enter in the minutes a synopsis of the discussion on any question coming before the Board.

Rule 24. Closed Sessions.

a. **Motion to Enter Closed Session**. The Board may hold Closed Sessions as provided by law and shall only commence after a motion to go into Closed Session has been made and adopted during an Open Meeting The motion to enter Closed Session must cite one (1) or more of the permissible bases for Closed Session listed in Paragraph (b) of this rule. A motion to enter Closed Session under the subparagraphs in Paragraph (b) must contain the additional information specified in those provisions.

b. **Bases for Closed Session.** A Closed Session is permissible under the following circumstances and no others:

   1. To prevent the disclosure of information that is privileged or confidential pursuant to the law of North Carolina or the United States or that does not constitute a public record within the meaning of Chapter 132 of the General Statutes. The motion to enter Closed Session must name or cite the law that renders the information confidential or privileged.

   2. To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

   3. To consult with the Town Attorney or another Attorney employed or retained by the Town to preserve the Attorney-Client Privilege. If the Board expects to discuss a pending lawsuit with its Attorney, the motion to enter Closed Session must include the names of the parties to the lawsuit.

   4. To discuss matters relating to (a) the location or expansion of industries or other businesses in the area served by the Town or (b) the closure or realignment of a military installation. The Board may reach an agreement in Closed Session on a tentative list of economic development incentives to be offered in negotiations, but the approval of the signing of any economic development contract or commitment and the authorization of the payment of economic development expenditures must take place in Open Session.

   5. To establish or instruct staff or agents concerning the Town's position in negotiating the price or other material terms of an agreement for the acquisition of real property by purchase, exchange, or lease.

   6. To establish or instruct staff or agents concerning the amount of compensation or other material terms of an employment contract.

   7. To consider the qualifications, competence, performance, character, fitness, or

conditions of appointment or employment of a public officer or employee or prospective public officer or employee, except when the individual in question is a member of the Town's Board or other public body or is being considered to fill a vacancy on the Town's Board or other public body. Final action to appoint or employ a public officer or employee must take place in Open Session.

8. To hear or investigate a charge or complaint by or against a public officer or employee. Final action discharging an employee or removing an officer must occur in Open Session.
9. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
10. To view a law enforcement recording released pursuant to NCGS §132-l.4A.
11. On any other basis permitted by law.

c. **Closed Session Participants.** Unless the Board directs otherwise, the Town Manager, Town Attorney, and Town Clerk may attend Closed Sessions of the Board. No other person may attend a Closed Session unless invited by a majority vote of the Board.

d. **Motion to Return to Open Session.** Upon completing its Closed Session business, the Board shall end the Closed Session by adopting a duly made motion to return to Open Session.

e. **Closed Session Agenda.** If a meeting calls for a Closed Session, the Town Clerk shall distribute a Closed Session Agenda to the Mayor, Board, Town Manager, and Town Attorney on the day of the meeting, except if Closed Session is added during the discussion of the Proposed Agenda and Adoption of the Agenda, as specified in Rule 4.

Rule 25. Quorum.

a. The presence of a quorum is necessary for the Board to conduct business.
b. A majority of the Board's actual membership plus the Mayor, excluding vacant seats, constitutes a quorum. A majority is more than half.
c. A member who withdraws from a meeting without being excused by a majority vote of the remaining members in attendance is deemed present for quorum purposes.

Rule 26. Public Hearings.

a. **Calling Public Hearings.** In addition to holding Public Hearings required by law, the Board may hold any Public Hearing it deems advisable. The Board may schedule hearings or delegate that responsibility to Town staff members, as appropriate, except when state law directs the Board itself to call the hearing. If the Board delegates scheduling authority, it must provide adequate guidance to assist staff members in exercising that authority.
b. **Public Hearing Locations.** Public hearings may be held anywhere within the Town or within the County where the Town is located.
c. **Rules for Public Hearings.** The Board may adopt reasonable rules for Public Hearings that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups of persons supporting or opposing the same positions,
- provide 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 hall (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

d. **Notice of Public Hearings.** Any Public Hearing at which a majority of the Board is present shall be considered part of a Regular or Special meeting. Consequently, the relevant notice and related requirements of the Open meetings law, as set out in Rules 1 and 2, apply to such hearings. Some statutes mandate additional notice for types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

e. **Continuing Public Hearings.** The Board may continue any Public Hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in Open Session. Except for hearings conducted pursuant to Paragraph (g), if a quorum of the Board is not present for a properly scheduled Public Hearing, the hearing must be continued until the Board's next Regular meeting without further advertisement.

f. **Conduct of Public Hearings.** At the time appointed for the hearing, the Mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the Board for the hearing. Unless the Board extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the Mayor shall declare the hearing closed, and the Board shall resume the regular order of business.

g. **Public Hearings by Less Than a Majority of the Board.** Nothing in this rule prevents the Board from appointing a member or members to hold a Public Hearing on the Board's behalf, except when state law requires that the Board itself conduct the hearing.

h. **Incorporation of Policy 6.** Town of Spring Lake Policy 6. Public Comment Period & Public Hearings at Board Meetings, is hereby incorporated by reference into these Rules of Procedure. In the event of a conflict between this Rule and Policy 6. concerning the administration of Public Comment or Public Hearings, the Board shall follow applicable State or federal law and interpret the provisions, to the extent reasonably possible, so that they operate consistently. (Amended 9-14-26)

Rule 27. Public Comment Periods.

a. **Frequency of Public Comment Periods.** The Board must provide at least one (1) opportunity for Public Comment each month at a Regular Meeting, except that the Board need not offer a Public Comment period during any month in which it does not hold a Regular Meeting.

b. **Rules for Public Comment Periods.** The Board may adopt reasonable rules for Public Comment periods that, among other things,
   - fix the maximum time allotted to each speaker,
   - provide for the designation of spokespersons for groups supporting or opposing the same positions,
   - provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the Public Comment period

exceeds the capacity of the hall (so long as arrangements are made for those excluded from the hall to listen to the hearing), and

- provide for the maintenance of order and decorum in the conduct of the hearing.

c. **Content-Based Restrictions Generally Prohibited.** The Board may not restrict speakers based on subject matter if their comments pertain to subjects within the Board's real or apparent jurisdiction.

d. **Incorporation of Policy 6.** Town of Spring Lake Policy 6. Public Comment Period & Public Hearings at Board Meetings, is hereby incorporated by reference into these Rules of Procedure. In the event of a conflict between this Rule and Policy 6. concerning the administration of Public Comment or Public Hearings, the Board shall follow applicable State or federal law and interpret the provisions, to the extent reasonably possible, so that they operate consistently. (Amended 9-14-26)

Rule 28. Meeting Minutes.

a. **Minutes Required for All Meetings.** The Board must keep full and accurate minutes of all its meetings, including Closed Sessions. To be "full and accurate," minutes must record all actions taken by the Board. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of the Board, though the Board in its discretion may decide to incorporate such details into the minutes.

b. **Record of "Ayes" and "Noes."** At the request of any member of the Board, the minutes shall list each member by name and record how each member voted on a particular matter.

c. **General Accounts of Closed Sessions.** In addition to minutes, the Board must keep a general account of each Closed Session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The Board may combine the minutes and general account of a Closed Session into one (1) document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

d. **Sealing Closed Session Records.** Minutes of Closed Session shall be sealed until unsealed by order of the Board or, if the Board delegates the authority to unseal to one (1) or more staff members, in accordance with guidelines adopted by the Board. All Closed Session minutes, sealed or unsealed, shall be made available to the active Board at their request, under observance of the Town Clerk. The sealed minutes of any Closed Session may be withheld from public inspection so long as public inspection would frustrate the purpose(s) of the Closed Session.

Rule 29. Appointments.

a. **Appointments in Open Session.** The Board must consider and make any appointments to another body or, in the event of a vacancy on the Board, to its membership in Open Session.

b. **Nomination and Voting Procedure.** The Board shall use the following procedure to fill a vacancy in the Board itself or in any other body over which it has the power of appointment. The nominating committee shall be called upon to make its report and recommendation(s), if any. The Mayor shall then open the floor for nominations, whereupon Board members may put forward and debate nominees. When the debate ends, the Mayor shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

c. **Mayor.** The Mayor may make nominations and may vote on appointments only in case

of a tie under this rule.

d. **Multiple Appointments.** If the Board is filling more than one vacancy, each member shall have as many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of members voting shall be required for each appointment. No member may cast more than one (1) vote for the same candidate for the same vacancy during a single balloting.
e. **Duty to Vote.** Each member must vote for as many appointees as there are appointments to be made, but failure to do so shall not invalidate a member's ballot.

Rule 30. Committees and Boards.

a. **Establishment and Appointment.** The Board may establish temporary and standing committees, boards, and other bodies to help carry on the work of the Town government. Unless otherwise provided by law or the Board, the power of appointment to such bodies lies with the Board.
b. **Open Meetings Law.** The requirements of the Open meetings law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the Town's professional staff.
c. **Procedural Rules.** The Board may prescribe the procedures by which the Town's appointed bodies operate, subject to any statutory provisions applicable to bodies. In the absence of rules adopted by the Board, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.
d. **Board of Commissioners Liaisons.** The Mayor may appoint a Board member to serve as the Liaison for any standing committees, boards, or other bodies established pursuant to this section. The role of the Board Liaison is to facilitate communication between the Board and the committee or board, and to keep the Board informed on the activities of the committee or board.
e. **Application.** The Town will accept applications as vacancies come open and will maintain and consider applications received for one (1) year. To be eligible for appointment to a board or committee and continue to serve, a person must be an adult permanently residing inside the Town municipal influence area and apply on a form provided by the Town Clerk. Depending on the individual committee Bylaws, a member per board may reside outside the actual Town limits.
f. **Terms.** Unless otherwise provided by statute or Town Ordinance, all terms of office where terms of office are determined by the Board shall be two (2) years. The Board shall make appointments to fill unexpired portions of terms created by vacancies as expeditiously as needed.
g. **Removal.** All members of all boards and committees shall unless in conflict with State statutes, serve at the pleasure of the Board, regardless of the terms for which they were appointed. The Board may in its discretion at any time remove any members of any board or commission when it is determined to be in the best interest of the Town, such as inefficiency, neglect of duty, or malfeasance in office.
h. **Temporary and Ad Hoc Committees.** Upon approval of the Board, temporary or Ad Hoc committees of limited duration may be exempt from these requirements and/or the requirements of Rules 29 and 30 of the Board Rules of Procedure.

Rule 31. Broadcasting and Recording Meetings.

a. **Right to Broadcast and Record.** Any person may photograph, film, tape-record, or

otherwise reproduce any part of a Board meeting that must take place in Open Session. Except as provided in Paragraph (c) of this rule, any radio or television station may broadcast any such part of a Board meeting.

b. **Advance Notice.** Any radio or television station that plans to broadcast any portion of a Board meeting shall notify the Town Clerk or the Town Manager no later than twenty-four (24) hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Board meeting.
c. **Equipment Placement.** The Town Manager may regulate the placement and use of camera or recording equipment to prevent undue interference with a Board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Town Manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the Town Manager may require the pooling of the equipment and the personnel operating it.
d. **Alternative Meeting Site.** If the news media requests an alternative meeting site to accommodate news coverage, and the Board grants the request, the news media making the request shall pay the costs incurred by the Town in securing an alternative meeting site.

Rule 32. Approval of Contracts and Authorization of Expenditures.

a. **Contracts to be in Writing.** No contract shall be approved or ratified by the Town Board unless it has been reduced to writing at the time of the Board's vote.
b. **Approval of Contracts.** To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all members not excused from voting on the contract, including the Mayor's vote in the event of a tie.
c. **Authorization of Expenditure of Public Funds.** The same vote is necessary to approve or ratify a contract for the Board to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to Rule 22.

Rule 33. Sunshine List.

Any person and any newspaper, radio station, television station, or other news media organization may file with the Town Clerk a written request for notice of all meetings of the Board in accordance with NCGS §143-3l 8.12(b)(2).

Rule 34. Issuance of Proclamations. (Added 1-13-25)

Issuance of Proclamations is entirely at the discretion of the Mayor. *Proclamations* are official announcements and/or public declarations issued by the Mayor. They are ceremonial in nature and DO NOT have any legislative value.

Proclamations **may be** issued for the following reasons:

a. Recognition of extraordinary achievement.
b. Supporting actions that improve the quality of life of the Town of Spring Lake.
c. Raising public awareness of issues that directly affect the Town of Spring Lake.

d. Appreciation for monetary donations, in-kind contributions, cultural contributions, and volunteer efforts.
e. Proclamations that hold statewide significance or serve an educational purpose for a significant number of Town residents.
f. Proclamations may recognize a day, week, or month.
g. Proclamations for the benefit of specific for-profit organizations, policy organizations, or businesses will not be issued.
h. Proclamations for anniversaries, weddings, birthdays, or retirements will not normally be issued except in extraordinary circumstances such as a 100th birthday or 75th anniversary.

Proclamations **WILL NOT** be issued for any of the following:

a. Matters that would require taking sides on a political issue.
b. Matters involving issued of personal conviction.
c. Matters that involve any particular religion.
d. Any other matters that tend to stir up controversy or unrest.
e. Commercial purposes, such as the opening of a new business, a new service, a new product, or a new professional service.

Other considerations:

a. Requests must be made on an annual basis. Proclamations will not be automatically renewed.
b. Multiple requests from the same organization may not be honored in the same calendar year.
c. Requests that are similar to Proclamations that have already been issued may be denied.

Format, which will be provided to the recipient by the Town Clerk:

a. Proclamations will typically be presented to the recipient at a regular Board meeting. They are prepared on 8½" x 11" paper and always include the following:
    - *Whereas* clauses providing information describing the five W's (who, what, when, where, and why) regarding the Proclamation;
    - *A Now, Therefore Be It Proclaimed* clause, proclaiming the specific event;
    - A date of execution, representing the date the document was signed by the Mayor and/or the date of the event being proclaimed;
    - The signature of the Mayor;
    - The Town seal; and
    - Enclosure in a certificate holder.

Receipt of Final Document. Individuals and organizations have several options for receiving finalized Proclamations, which will be provided to the recipient by the Town Clerk:

a. Finalized documents can be presented at an event sponsored by the individual or organization that requested the documents. (Note: This option is subject to the availability of the Mayor or a Board member).
b. Finalized documents can be presented at a regularly scheduled Board meeting. (Note: For agenda purposes, this option may require additional information for the party that requested the document).
c. Finalized documents can be mailed and/or emailed (per direction from requestor) to the recipient of the Proclamation, or they may be picked up from the Town Clerk's office.

Media Coverage. The individual/organization requesting a Proclamation will be responsible for any and all media coverage desired.

Request Process, which will be provided to the recipient by the Town Clerk:

a. ALL applications for a Proclamation must be submitted at least ten (10) days prior to the event.
b. Individuals/organizations are strongly encouraged to file requests as early as possible.
c. Applications received after the deadline will be prepared depending upon staff availability.
d. Requests may be made over the phone by calling the Town Clerk at (910) 985-1834. ALL phone requests MUST be followed up by completion of the form.
e. Requests should include the following:
    - Contact information: name, telephone number, and email of a person who can answer questions about the Proclamation.
    - Name of the person(s)/organization the Proclamation is about.
    - Proposed text for the Proclamation, including facts about the subject matter and enough information to make at least four (4) points about the person(s)/organization being recognized. (Note: The more information sent, the more personable the document will be).
    - Date of presentation for the Proclamation.
    - Action to be taken when the Proclamation is completed. (Who should be contacted in order to pick up the document).

Following Receipt of Request, which will be provided to the recipient by the Town Clerk:

a. The Town Clerk, on behalf of the Mayor, will contact the person requesting the Proclamation to notify them of the status of the request.
b. Depending on official approval, the original Proclamation will be issued to the individual or organization at no cost.
c. Any draft language submitted for the Proclamation is subject to editing or revisions.

Rule 35. Issuance of Resolutions. (Added 1-13-25)

Issuance of Resolutions is entirely at the discretion of the Mayor. *Resolutions* state the opinion or feeling of the Board and are used to dictate policy to Town employees, congratulate an

organization or a person, express sorrow at the death of a well-known person or urge another governmental body, such as the U.S. Congress, to take a desired action.

Resolutions **may be** issued for the following reasons:

a. Recognition of action or service above and beyond the call of duty.
b. Recognition of extraordinary achievement.
c. Supporting actions that improve the quality of life of the Town of Spring Lake.
d. Raising public awareness of issues that directly affect the Town of Spring Lake.
e. Resolutions that hold local, state, or national significance or serve an educational purpose for a significant number of Town citizens.
f. Recognition of individuals or groups who have made significant contributions to the Town community.
g. Commendation for heroism, Boy/Eagle Scout achievement, school/sports groups achievements, and the efforts of non-profit organizations.
h. Appreciation for monetary donations, in-kind contributions, cultural contributions, and volunteer efforts.

Resolutions WILL NOT be issued for any of the following:

a. Matters that would require taking sides on a political issue.
b. Matters involving issues of personal conviction.
c. Matters that involve any particular religion.
d. Any other matters that tend to stir up controversy or unrest.
e. Commercial purposes, such as the opening of a new business, a new service, a new product, or a new professional service.

Other considerations:

a. Multiple requests from the same organization may not be honored in the same calendar year.
b. Requests that are similar to Resolutions that have already been issued may be denied.

Format, which will be provided to the recipient by the Town Clerk:

a. Resolutions are prepared using the Town's legal Resolution format and are sequentially numbered. They include the following information:
    - Information supplied by the party requesting the Resolution or developed by staff including the reason for the Resolution (stated in "Whereas" clauses), and the desired course of action as a result of the Resolution.
    - The Mayor's signature, Town Clerk attestation, and Town seal.
    - Upon completion, Resolutions will be mailed and/or emailed (per direction of requestor) to the recipient and/or the party to whom it is directed.

Receipt of Final Document. Individuals and organizations have several options for receiving finalized Resolutions, which will be provided to the recipient by the Town Clerk:

a. Finalized documents can be presented at an event sponsored by the individual or organization that requested the documents. (Note: This option is subject to the availability of the Mayor or a Board member).
b. Finalized documents can be presented at a regularly scheduled Board meeting. (Note: For agenda purposes, this option may require additional information for the party that requested the document).
c. Finalized documents can be mailed and/or emailed (per direction from requestor) to the recipient of the Resolution, or they may be picked up from the Town Clerk's office.

Media Coverage. The individual/organization requesting a Resolution will be responsible for any and all media coverage desired.

Request Process, which will be provided to the recipient by the Town Clerk:

a. ALL applications for a Resolution must be submitted at least ten (10) days prior to the event.
b. Individuals/organizations are strongly encouraged to file requests as early as possible.
c. Applications received after the deadline will be prepared depending upon staff availability.
d. Requests may be made over the phone by calling the Town Clerk at (910) 985-1834. ALL phone requests MUST be followed up by completion of the form.
e. Requests should include the following:
    - Contact information: name, telephone number, and email of a person who can answer questions about the Resolution.
    - Name of the person(s)/organization the Resolution is about.
    - Proposed text for the Resolution, including facts about the subject matter and enough information to make at least four (4) points about the person(s)/organization being recognized. (Note: The more information sent, the more personable the document will be).
    - Date of presentation for the Resolution.
    - Action to be taken when the Resolution is completed. (Who should be contacted in order to pick up the document.

Following Receipt of Request, which will be provided to the recipient by the Town Clerk:

a. The Town Clerk, on behalf of the Mayor, will contact the person requesting the Resolution to notify them of the status of the request.
b. Depending on official approval, the original Resolution will be issued to the individual or organization at no cost.
c. Any draft language submitted for the Resolution is subject to editing or revisions.

Amended 9/9/24 – Rule 4. Items c. & f. under Proposed Agenda.

Amended 1/13/25 – Replaced Aldermen with Commissioners, added Rule 34. Issuance of Proclamations., & added Rule 35. Issuance of Resolutions.

Amended 11/24/25 – Introduction. Changed elected every two (2) years to every four (4) years, & added d. under Rule 3. Organizational Meeting.

Amended 9/14/26 – Rule 26. Public Hearings. & Rule 27. Public Comment Periods., added Incorporation of Policy 6.