

**A RESOLUTION AMENDING THE RULES OF PROCEDURE FOR TOWN OF
CARRBORO BOARDS AND COMMISSIONS TO ALLOW REMOTE
PARTICIPATION BY BOARD AND COMMISSION MEMBERS AT ITS MEETINGS**

WHEREAS, on November 21, 2017, the Town of Carrboro adopted an Administrative Policy setting forth rules of procedure for the Town of Carrboro Boards and Commissions (hereinafter the “Boards”); and

WHEREAS, in May of 2020, the General Assembly amended the State Open Meetings Law to specifically authorize local governing boards, including board of adjustment, advisory boards and commissions, the option to conduct remote public meetings in accordance with G.S. § 166A-19.24 and Article 33C of Chapter 143 of the General Statutes, which remote public meeting statutes apply only during a declared State of Emergency; and

WHEREAS, on August 15, 2022, the Governor’s State of Emergency in response to the COVID-19 pandemic expired, thus, the remote public meeting statutes will no longer apply to public boards; and

WHEREAS, Article 33C, Chapter 143, of the North Carolina General Statutes (*see* G.S. § 143-318.13) contemplates that members of public bodies may participate in official meetings by use of conference telephone or other electronic means; and

WHEREAS, to promote full participation by members of Town Board’s while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. § 143-318.9 *et seq.*, the Council desires to amend the Board’s rules of procedure to allow remote participation by Board members at its meetings, when appropriate.

NOW THEREFORE, the Town Council of the Town of Carrboro resolves as follows:

Section 1. Section 13 of the Rules of Procedure for Town of Carrboro Boards and Commissions is deleted and replaced with a new Section 13 entitled “Remote Participation by Board and Commission Members,” that states as follows:

Some or all board and commission members shall be allowed to participate remotely at its meetings and fully participate in all discussions and votes on business of the body. Said members shall be counted toward a quorum.

For members of the Board of Adjustment, remote participation shall not include participating or voting in quasi-judicial hearings, nor shall quasi-judicial hearings be held without a quorum of the members present in person, except during a State-declared State of Emergency and pursuant to the provisions of G.S. § 166A-19.24.

This section does not limit the number of scheduled meetings that a board or commission member may participate in remotely, nor does it limit the number of board or commission members who may participate remotely in a given meeting.

These meetings conducted remotely shall provide an opportunity for the public to participate and comment during the meeting by remote methods, including email, telephone, video, and/or other methods, to the extent practical.

Section 2. The first sentence of the Rules of Procedure for Town of Carrboro Boards and Commissions under the “Purpose” paragraph is amended as follows:

This policy for advisory boards/commissions (and for the Board of Adjustment to the extent not inconsistent with the Town’s Land Use Ordinance) (hereinafter “boards”) will provide efficient and equitable rules of procedures for all board members and staff liaisons to follow and provide general information and recommendations about how the boards conduct Town business.

Section 3. All provisions of any Town ordinance or resolution in conflict with this resolution are repealed.

Section 4. This resolution shall become effective upon adoption.

The foregoing Resolution, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2022.

Ayes: _____

Noes: _____

Absent or Excused: _____

Damon Seils, Mayor

Attest:

Wesley Barker, Town Clerk