

SAMPSON COUNTY PLANNING BOARD  
BYLAWS AND RULES OF PROCEDURE

ARTICLE I  
ESTABLISHMENT

The Sampson County Planning Board shall be governed by these bylaws and rules of procedure in exercising its powers in accordance with the General Statutes of North Carolina.

ARTICLE II  
MEMBERSHIP, OFFICERS, AND EX-OFFICIO MEMBERS

Section 1. Selection and Tenure.

The Planning Board shall be composed of seven members.

Section 2. Duties.

Chairman. The Chairman shall preside at all meeting of the Board, appoint members to committees, decide all points of procedure unless otherwise directed by a majority vote of the Board members present, and perform such other duties as may be ordered by the Board.

Vice-Chairman. The Vice-Chairman shall preside as Chairman at all meetings where the Chairman is not present. In the event that office of the Chairman becomes vacant, the Vice-Chairman shall succeed to this office for the unexpired term.

Secretary. A secretary shall be appointed by the County Manager, either from within or outside its membership, to hold office during the term of the chairman and/or until a successor secretary shall have been appointed. The secretary shall be eligible for reappointment. The secretary, subject to the direction of the chairman and the Board, shall keep all records, shall conduct all correspondence of the Board, and shall generally supervise the clerical work of the Board. If the secretary is chosen from outside the membership of the Board, he shall not be eligible to vote upon any matter.

Zoning Administrator. The Zoning Administrator or designated assistant shall be an ex-officio, non-voting member of the Board and shall attend all meetings for the purpose of providing technical assistance when requested by the Board.

County Manager. The County Manager shall be an ex-officio, non-voting member of the Board.

Tenure of Officers. All officers shall serve a term of two (2) years, with eligibility for re-election. Elections shall be held at the beginning of the fiscal year in even years.

Section 3. Compensation.

Members of the Planning Board shall receive compensation in the form of \$10.00 per meeting attended; such amount should not exceed \$200.00 per member per year. Payment to be made in lump sum at the end of the County's fiscal year.

ARTICLE III  
MEETINGS

Section 1. Public.

All regular and special meetings, hearings, records and accounts of the Board shall be open to the public.

Section 2. Regular Meetings.

Regular meetings of the Board shall be held monthly in the City Hall Auditorium, Clinton, N.C., at 7:00 P.M. on the 2<sup>nd</sup> Monday or such other time and place as the Board may determine.

Section 3. Special Meetings.

Special meetings may be called at the request of the Chairman or a simple majority of the members of the Board. Notice of such special meetings shall be given to all members of the Board at least forty-eight (48) hours prior to the meeting and shall state the purpose, time, and place of the meeting.

Section 4. Quorum.

Quorum shall be four members. All actions, except as otherwise provided herein, shall require approval of a majority of the members present.

Section 5. Order of Business.

The order of business at meetings shall be substantially as follows:

Call to Order.  
Approval of Previous Minutes.  
Public Hearings.  
Unfinished Business.  
Referrals from the County Commissioners.  
New Business.  
Communications and Reports.  
Other Items.  
Adjournment.

Section 6. Minutes.

Minutes of the proceedings and a record of all actions shall be kept and attested to by the Secretary, showing the vote of each member upon each question, the reasons for the Board's determination, and its findings. These records shall be immediately filed in the County Manager's office and shall be a public record.

Section 7. Attendance.

The Secretary shall keep a record of attendance at all meetings. Absence from four (4) regularly scheduled Board meetings during any one calendar year shall be considered cause for a recommendation of dismissal from the Board. Whenever a Board member is absent from four (4) regularly scheduled meetings during any one calendar year, the Board may, upon approval of a majority of the members, submit a recommendation to the County Board of Commissioners calling for the dismissal of said member.

ARTICLE IV  
COMMITTEES

Section 1. Creation of Committees.

Standing or Ad-Hoc committees of the Board may be created from its membership in order to provide for thorough study and consideration of matters which are the responsibility of the Board, and in order to provide for its efficient operation. Unless expressly authorized to do so, no committee shall be empowered to act or speak for the Board.

Section 2. Committee Membership and Appointment.

The Chairman shall appoint all committee members and designate the committee chairman. Standing committees shall be composed of at least three (3) members. Ad-Hoc committees may be composed of as many members as the chairman may deem necessary.

## ARTICLE V HEARINGS

At the discretion of the Board, public hearings may be called prior to final decision on an issue.

### Section 1. Zoning Hearings.

Zoning hearings may be held on petitions for rezoning or initial zoning and/or staff proposals for changes in the zoning ordinance or zoning map of Sampson County.

Notice of the time, date and place of Planning Board hearings on petitions for changes to the County's zoning ordinance text or map shall be published not less than six (6) days prior to the hearing in a newspaper of general circulation within the County. In addition, a notice of proposed zoning will be posted on the property. Notices will be mailed to the applicant, Board Members, adjoining property owners, and, insofar as possible to other parties of interest.

Content of the notice shall include a general description of the proposed action, the name of the paper and date of publication of the legal notice and of the property affected. The notice shall also contain a provision indicating that substantial changes might be made in the advertised proposal, reflecting objections, debate and discussion at the hearings.

Order of business at hearings shall be substantially as follows:

- Introduction by the Chairman.
- Reading of Notice.
- Explanation by the Planning Staff.
- Hearing of the Petitioner or Applicant.
- Hearing of Other Interested Parties.
- Response of the Petitioner or Applicant.
- Response of any Opposition.
- Discussion by Board Members and Staff Recommendation.
- Motion and Vote.

At the onset of hearing a case the Chairman may impose time limits to all persons coming before the Board. These will be equal and just for both sides.

Section 2. Other Hearings.

Notice of other hearings to be considered by the Board shall be given in a manner prescribed by the Board prior to the hearing date. In addition to the notice prescribed by the Planning Board, the staff shall attempt to publicize these hearings through the available news media and through mailing lists which may be available.

Section 3. Decisions.

The Board shall render its decisions on any properly filed petition within sixty (60) days after its introduction. The Board shall transmit its recommendations to the County Commissioners and shall send signed copy of the decision to the petitioner or applicant when not present or represented at the time a decision is reached. The hearing may be continued until the next meeting if the Board finds there are substantial gaps in information it needs in order to render a decision.

Record. The Secretary shall record the vote of each member upon each question in the minutes, or if the member is absent or fails to vote, shall indicate such fact in the minutes.

Voting. The concurring vote of a majority of the Board members present at a meeting, except as otherwise provided herein, shall decide any issue.

Personal Interest. No Board member shall participate in the decision of, or vote upon, any case in which he shall be interested, directly or indirectly.

Form. The final disposition of all petitions or applications shall be in the form of a written resolution signed by the Chairman and Secretary, and attached to the minutes. Such resolution shall indicate the reasons for the Board's determination and its findings.

ARTICLE VI  
MATTERS TO BE CONSIDERED BY THE BOARD

The Board serves as an advisory body to the County Commissioners and as such shall make recommendations on the following matters:

Petitions and staff proposals for initial zoning ordinances and maps and for changes in existing zoning ordinances and maps.

Approval of preliminary subdivision plats.

The location, character and extent of major public improvements and the acquisition of land therefore.

The design plans of landscape architecture in connection with parks, streets, recreation areas, public buildings and other local governmental developments.

Property to be acquired for parks, streets, public buildings and other local governmental developments.

Approval of all elements of all comprehensive plans before publication or general distribution.

Approval of staff reports before publication or general distribution.

Selection of planning consultants.

Such other matters as the Director shall find advisable or essential to receive consideration by the Board.

Such other matters as may be requested by any Board member.

## ARTICLE VII AMENDMENTS

These Rules of Procedure may be amended, suspended, or revoked by a majority vote of full Board membership at any meeting, provided all members are notified.

## ARTICLE VIII CONFLICT

Whenever any conflict occurs between these Rules of Procedure and the laws of North Carolina or Sampson County, the State and/or City laws shall prevail.

ARTICLE IX  
EFFECTIVE DATE

These Rules of Procedure shall be effective after adoption by a majority of the full Board's membership and filing with the County Clerk.

Signed: \_\_\_\_\_  
Planning Board Chairman

ATTEST: \_\_\_\_\_  
Secretary

DATE ADOPTED: \_\_\_\_\_

DATE FILED: \_\_\_\_\_