

RULES OF PROCEDURE

INDIAN TRAIL PARC (PARKS, ARTS, RECREATION & CULTURE) ADVISORY COMMITTEE

These Bylaws govern the function and operation of The Town of Indian Trail PARC Advisory Committee.

ARTICLE I Establishment

- 1-1 The Indian Trail PARC Advisory Committee having been created by the Indian Trail Town Council, shall be hereafter referred to as the “PARC (Parks, Arts, Recreation & Culture) Advisory Committee”.
- 1-2 The PARC Committee shall be considered a “public body” and is subject to all rules and regulation for public bodies contained in North Carolina’s Open Meetings regulation (i.e., Law, G.S. 143-318.10 et seq.).

ARTICLE II Duties and Powers

- 2-1 The General Purpose of the PARC Committee is to serve as an advisory committee to the Town Council regarding parks, recreation, greenways, environment, arts and culture. The PARC Committee will assist in the planning, development and management of the Town’s future parks, recreation, greenway systems and tree preservation ordinance.
- 2-2 The PARC Committee shall have the following charge and duties:
 - 1. The PARC Committee shall advise, deliberate and make recommendations to Town Council on parks, recreation, greenway, environmental, arts, and culture related matters.
 - 2. The PARC Committee shall assist in the development and implementation of any ordinances, policies or plans related to parks, recreation, greenway, environmental, arts, and culture related matters.
 - 3. The PARC Committee shall assist in the community outreach and public education related to parks, recreation, greenway, environmental, arts, and culture related matters.
 - 4. The PARC Committee shall assist in the planning of community events related to parks, recreation, greenway, environmental, arts, and culture related matters.

5. The PARC Committee shall assist the Town Council in developing and maintaining a recreation system available to all Indian Trail residents.
6. The PARC Committee shall assist the Town Council in developing and maintaining a strong Cultural Arts Program and Cultural Arts Center.
7. The PARC Committee shall assist the Town Council in various environmental issues which may the impact the community.

ARTICLE III

Appointment and Terms

- 3-1 The PARC Committee shall consist of nine (9) members and two (2) alternates, all of who shall reside or own property within the Town limits. The Council shall appoint the membership of the PARC Committee. (2) Members shall represent recreation interests within Indian Trail, (2) Members shall represent arts/culture interests within Indian Trail, and (5) regular members and (2) alternates shall represent the general public. Union County may have an ad-hoc member, and shall attend only when discussing tree issues or requested by staff.
- 3-2 Each member shall be appointed for a period of three (3) years. The Council in appointing the original membership of the PARC Committee may prescribe terms of fewer years to the end that the terms of the various members of the PARC Committee shall be staggered.
- 3-3 If vacancy on the PARC Committee occurs by reason of death, resignation, change of property ownership, Town Council removal, or any other cause, the seat shall be filled by the Town Council in an expeditious manner for the duration of the unexpired term.
- 3-4 Town Clerk shall be responsible for maintaining a current list of PARC Committee members, including the effective date of their appointment and the expiration date of their term. Town Clerk shall keep the Town Manager informed as to when any term is to expire, at least sixty (60) days prior to the expiration date.

ARTICLE IV

Officers

- 4-1 A Chairman and Vice Chairman shall be elected by the PARC Committee members. Each officer shall serve for a one (1) year term, but may be elected by the PARC Committee for successive terms to the same office. Annually, in the regular meeting of the PARC Committee held in the month of April, a Chairman and Vice-Chairman shall be elected. Each officer shall serve for a one-year period.

- 4-2 The Chairman shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the PARC Committee in session at the time. The Chairman shall appoint any committees found necessary to investigate any matters before the PARC Committee. The Vice-Chairman shall serve as acting Chairman in the absence of the Chairman, and at such times he shall have the same powers and duties as the Chairman.
- 4-3 In the event of the absence of both the Chairman and the Vice-Chairman from a committee meeting, the regular members present may elect a temporary Chairman for that meeting and proceed with the order of business.

ARTICLE V Secretarial Services

- 5-1 The Town Manager shall appoint a staff liaison(s) who shall perform all secretarial duties performed for the PARC Committee. Said person (s) (hereafter referred to as the "Secretary"), is subject to the direction of the Chairman, shall take minutes and keep all records. The Secretary shall keep in a permanent volume the minutes of every meeting of the PARC Committee. These shall show the record of all important facts pertaining to each meeting and hearing for the PARC Committee, and all votes of members of the PARC Committee upon the final determination of any question, indicating the names of members absent. The PARC Committee minutes shall be kept at the Indian Trail Town Hall and shall be available for inspection during normal working hours.

ARTICLE VI Rules of Conduct for Members

- 6-1 Members of the PARC Committee may be removed by the Town Council for cause, including violation of the rules stated below herein.
- 6-2 In order for the PARC Committee to carry out its duties and responsibilities, it is necessary for all members to attend meetings. If any member is absent for three (3) consecutive regular meetings or fails to attend thirty (30) percent or more of the regular and special meetings within a twelve-month period, such member may be removed by the Town Council and a replacement made for the unexpired portion of the term. Alternate members may be removed by the Town Council for repeated failure to attend or participate in meeting when requested to do so pursuant to Section 4-2 as set forth above. The PARC Committee may make a recommendation to the Town Council regarding removal of a member for duly cited causes and the request must be in writing, signed by the Chairman of the PARC Committee.
- 6-3 A member may be excused from voting on a particular issue by a majority vote of the remaining regular members present under the following circumstances:
1. If the member has a direct financial interest in the outcome of the matter at

hand; or

2. If the matter at hand involves the member's own official conduct; or
3. If the member has such close personal ties to the applicant that he cannot reasonably be expected to exercise sound and impartial judgment on behalf of the public's interest.

6-4 If a PARC Committee member determines that he may have a conflict of interest on a particular issue, he shall declare the nature of such conflict and ask to be excused from voting on the issue related to such conflict. The remaining members, by majority vote, shall determine whether such conflict exists and whether said member may excuse himself from further deliberations on said matter. If a member is excused from voting, he shall seat himself in the audience and not participate in any further discussion on said matter or he shall remove himself from the meeting room during all deliberation pertaining to such matter. In no instance may a member be excused from voting merely due to an unwillingness to vote on the issue at hand and where no conflict of interest is found to exist.

6-5 A challenge to the existence of a conflict of interest or a challenge of an undisclosed conflict of interest may be filed by any interest party with the PARC Committee. Such a challenge may be an appeal for a review of the findings of the PARC Committee or may be for the purpose of alleging an undeclared conflict of interest. Any challenge made to the PARC Committee shall be supported by competent evidence and shall be submitted at a properly convened meeting of the PARC Committee. The PARC Committee shall hear all evidence and shall, by majority vote of the remaining regular members, make the final determination as to the existence of a conflict of interest.

6-6 In the event a PARC Committee member is found to have a conflict of interest and is excused from voting by the PARC Committee, he shall be replaced by an alternate member for that business associated with the conflict of interest.

ARTICLE VII

Meetings

7-1 Regular meetings of the PARC Committee shall be held on the first Wednesday of each month at 6:00 PM beginning in September, provided that the meetings may be held at any other convenient place in the Town nearby area if directed by the Chairman in advance of the meeting.

7-2 Each member shall receive an agenda packet for each meeting by email, mail, or hand delivery at least forty-eight (48) hours prior to the meeting. An agenda notice shall be conspicuously placed at the Indian Trail Town Hall at least forty-eight (48) hours prior to the meeting.

7-3 Special Meetings of the PARC Committee may only be called by the Chairman. At least forty-eight (48) hours notice of the time and place of special meetings shall be given, by the Secretary, to each member of the PARC Committee. Notice of such meeting shall also be conspicuously placed at the Indian Trail Town Hall at least forty-eight (48) hours prior to the meeting.

7-4 Whenever there is no business to come before the PARC Committee, or whenever so many members notify the secretary of their inability to attend that a quorum will not be available, the Chairman may dispense with a regular meeting by having the Secretary give written or oral notice to all members prior to the time set for the meeting. Notice of meeting cancellations shall also be conspicuously posted at the Indian Trail Town Hall and appropriate notification given to the press as required by North Carolina law.

ARTICLE VIII Quorum and Voting

8-1 A quorum shall be a majority of those voting members attending each PARC Committee meeting, providing that there are at least four (4) voting members present. A quorum of PARC Committee shall be required before any vote is taken.

8-2 Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda.

8-3 No action taken at such a meeting shall be final or official unless and until the matter serving as the basis of the action is put before the PARC Committee by a proper motion and a vote is taken thereon at a meeting where a quorum of the PARC Committee is present.

8-4 Voting, at the discretion of the Chairman, shall be by voice or show of hands. All matters to be voted on by the PARC Committee shall be by a duly made motion and second.

8-5 All meetings shall be open to the public. The order of business at regular meetings shall generally be as follows:

1. Call to Order
2. Approval of Minutes
3. Business Items
4. Discussion Items
5. Adjournment

- 8-6 Items of business for discussion at the meeting shall appear on the agenda. Business which is not identified on the agenda may be considered only after approval of a majority of a vote of the membership.

ARTICLE IX
Adoption of Amendments

- 9-1 These rules shall at all times be consistent with all ordinances of the Town of Indian Trail and laws of the State of North Carolina. Should any provisions of these rules be inconsistent with such ordinances or laws of the State of North Carolina, the municipal or state ordinances and laws shall prevail.