

RESOLUTION 16-07
RESOLUTION AMENDING REGULATIONS GOVERNING PUBLIC COMMENT PERIODS, RULE
28(B) OF THE BOARD OF COMMISSIONERS' RULES OF PROCEDURE

WHEREAS, North Carolina General Statute §160A – 81.1 states that the council shall provide for at least one period for public comment per month at a regular meeting of the council; and

WHEREAS, North Carolina General Statute §160A – 81.1 allows council to adopt reasonable rules governing the conduct of the public comment period; and

WHEREAS, the Holden Beach Board of Commissioners adopted rules for public comment periods in accordance with North Carolina General Statute §160A – 81.1 at their February 16, 2016 meeting (under Rule 28b of their Rules of Procedure); and

WHEREAS, the Holden Beach Board of Commissioners adopted a new regular meeting schedule at their March 8, 2016 meeting, creating the need to amend the Rules of Procedure.

NOW, THEREFORE BE IT RESOLVED, by the Holden Beach Board of Commissioners that Rule 28(b) of the Board of Commissioners' Rules of Procedure be updated to read as follows.

Subject to waiver by an express resolution of the BOC, the following regulations shall apply and be enforced with respect to any public comment period at any regular, special or emergency meeting of the BOC.

1. Time and Location: Unless posted otherwise as required by law, the BOC convenes its monthly public hearings and regular meeting on the third Tuesday of each month at 7:00 p.m. at Town Hall. The agenda will contain one or more items entitled "Public Comment Period." Typically, the Public Comments Periods will be titled Public Comments on Agenda Items and Public Comments on General Items.

2. Sign-up Sheet: Any member of the THB Public who wishes to address the BOC as a speaker or as a spokesperson for a group during Public Comments on Agenda Items must register on the sign-up sheet located at the Town Clerk's seat between 6:00 p.m. and 6:55 p.m. on the night of the meeting by listing his/her name, address, the name of any group for which he or she is a spokesperson, and comment topic(s). Speakers who wish to address the BOC under Public Comments on General Items are not required to register. General Speakers or spokespersons who wish or who are invited by members of the BOC, the Mayor or other public officials to address the BOC on any subject matter must use the procedure provided for under Rule 5 of the BOC Rules of Procedure.

5. Speaking Order: Speakers and spokespersons will be called on in the order in which the names appear on the sign-up sheet. Each speaker or spokesperson will then proceed, one at a time in order of sign-up. Before beginning comments, each speaker or

spokesperson will state his/her name and the name of any group for which he or she is the spokesperson.

6. Time Allotted for Each Speaker: Each speaker will be allotted 3 minutes to comment during the designated public comment period or periods at any meeting, unless this speaker or spokesperson time limit is extended for all speakers or spokesperson on the sign-up list by majority vote of the BOC. To allow an opportunity for others to participate, each speaker or spokesperson shall have only one opportunity to speak during any meeting. Except for such designated comment periods, persons in attendance at any meeting shall not speak or otherwise interrupt the meeting, except with the consent of the BOC by majority vote.

7. Timekeeper: The designated timekeeper will be the Town Clerk, who will begin timing the speaker or spokesperson after recording the speaker's name and address for the public record and will announce "Time" when the allotted time expires.

8. Written Comments: At the end of the allotted time, a speaker or spokesperson may also submit written comments to the Town Clerk, who will copy written comments to the mayor and all BOC members the following business day, if a sufficient number of copies is not provided by the speaker or spokesperson. A speaker's or spokesperson's comments may be summarized in the meeting minutes if a legible, written copy is not submitted to the Town Clerk, and all such written comments or materials shall be available as public records.

9. Number of Speakers on Each Topic: It is recommended that large groups or delegations select their spokesperson in advance of sign-up.

10. Topic Exclusions: Speakers or spokespersons will not comment on matters which concern: the candidacy of any person seeking public office, including the candidacy of the speaker or spokesperson;

11. Address to the BOC: Speakers will address all comments to the BOC as a whole; and will not address or question one or more BOC members, the Mayor or any town staff members, officials and employees as individuals. Speakers will address members of the BOC, the Mayor, town staff members, officials and employees and other members of the THB Public with courtesy and will not do or say anything that will interfere with the dignity and decorum of the meeting. Discussions between speakers or spokespersons and the audience will not be allowed, and no member of the BOC, the Mayor or any town staff members, official or employee will respond to the comments or questions of any speaker or spokesperson until after all speakers and spokespersons on the sign-up have completed their comments.

12. Response to Comments: At the end of all speakers' and spokespersons' comments, any member of the BOC may request that the Town Manager (or his or her designee) respond to a concern raised by the speaker.

13. Questions on Comments: At the end of all speaker's and spokesperson's comments, any member of the BOC may ask the speaker such questions as they might deem necessary and appropriate for clarification.

14. Action by Board of Commissioners: Speakers and spokespersons should not expect BOC deliberation or action on any subject matter brought up during the Public Comment Period. Topics requiring further investigation will be referred to the Town Manager (or his or her designee), and may be scheduled for consideration as an agenda item during a future regular meeting.

15. Monitoring and Enforcement. The Executive Secretary of the BOC shall act as the monitor for all public comment periods for the purpose of recognizing speakers and spokespersons from the sign-up list, monitoring and enforcing the time allotted to speakers or spokesperson and reply times of the Commissioners and the enforcement of these regulations. Any ruling by the Executive Secretary may be appealed to the presiding officer as a point of order, and any ruling on such point of order may be appealed as provided for in Rule 18 of the BOC Rules of Procedure.

This the 17th day of May, 2016.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk