

WATER AND SEWER ADVISORY COUNCIL
CHARTER AND RULES OF PROCEDURE

The Water and Sewer Advisory Council shall make recommendations to the City Council and staff regarding the provision of water and sewer service, policies and procedures, and any other issues requested by the City Council subject to such limitations as may be imposed by state law or by ordinances of the city. The terms of the charter shall govern the activities of the Council. However, to the extent that this Charter conflicts with North Carolina Law, North Carolina shall control.

ARTICLE I. NAME. Water and Sewer Advisory Council hereinafter referred to as “Council”.

ARTICLE II. PURPOSE AND POWERS. The purpose of this Council is to serve in an advisory role to the City of Hendersonville City Council in matters pertaining to provision of water and sewer service in Henderson County and to exercise all powers and duties specified by the City Council as such may be amended from time to time and fulfill such other responsibilities as may otherwise be delegated to the Advisory Council by the City Council. The Council shall be embodied for the following purposes:

- Advise the Hendersonville City Council on matters involving the provision of water and sewer services to the citizens of the Hendersonville and Henderson County.
- Review and make recommendation on water and sewer studies by the City and or the County
- Support the creation and maintenance of long-range plans for the provision of water and sewer service in Henderson County
- Oversee the creation of an annual water and sewer reports
- Review and make recommendations on the following:
 - Capital Improvement Programs
 - Water and sewer facility expansions
 - Water and sewer extension policies

ARTICLE III. JURISDICTION. The Council shall exercise its purpose with regards to matters and issues involving the provision of water and sewer services to the citizens of the City of Hendersonville and Henderson County.

ARTICLE IV. MEMBERSHIP AND DUTIES

Section 1. Membership and Appointment. Appointments shall be made by the governing body of each municipality. All local governing bodies shall appoint an alternate member to serve in the absence of their appointed member. The alternate member may be a staff person of the governing body. All members and alternates, in absence of appointed member, shall be entitled to equal rights, privileges, and duties with other members of the Council regardless of where the matters at issue arise.

The Hendersonville City Manager shall appoint a staff liaison to the Council who shall assist the Council with carrying out their duties and responsibilities. The Chairman of the Advisory Council will be alternated between the City and County representative. Each will serve a two-year term as Chairman. The vice-chair shall be the City or County representative when not serving as Chairman. If the chair is vacated the vice-chair shall become the chair for the remainder of the vacated term or until a replacement representative is appointed.

The Council shall consist of eleven (11) members as follows:

- (1) One sitting member of the Hendersonville City Council (or Alternate)
- (1) One sitting member of the Henderson County Board of Commissioners (or Alternate)
- (1) One sitting member of the Town of Fletcher (or Alternate)
- (1) One sitting member of the Town of Mills River (or Alternate)
- (1) One sitting member of the Town of Laurel Park (or Alternate)
- (1) One sitting member of the Village of Flat Rock (or Alternate)
- (1) One sitting member of the City of Saluda (or Alternate)
- (1) One industry representative appointed by Henderson County Partnership for Economic Development
- (1) One business representative appointed by Henderson County Chamber of Commerce
- (1) One Henderson County utility customer appointed by Henderson County Board of Commissioners
- (1) One City of Hendersonville utility customer appointed by the Hendersonville City Council

Staff Liaison(s). The Hendersonville City Manager shall appoint staff liaison(s) to the Council who shall assist the Council with carrying out their duties and responsibilities. The Staff Liaison(s) shall act as the Secretary and liaison between the Council and Hendersonville City Council and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.

Section 2. Terms of Service. Council members shall serve at the pleasure of their appointing organization. Local government representatives must be an elected representative or staff person for their appointing organization. Members shall serve without compensation.

Section 3. Attendance. The Chairperson shall notify the appointing organization of any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year and request that another representative be appointed to serve on the Council.

Section 4. Vacancies and Reasons for Dismissal. All members serve at the pleasure of their appointing organization. Members may be dismissed for any reason, with or without cause. Vacancies shall be filled at the earliest convenience by the appointing organization. A vacancy of the chair or vice chair shall be elected by a majority of the Council at the next regularly scheduled meeting. Notwithstanding the foregoing, at any meeting where both the Chair and Vice Chair are absent, the Council shall elect from those members present a member to preside at that meeting.

Section 5. Resignations. Any member who feels they can no longer serve or otherwise fulfil the duties of a member may resign from the Council. Such resignation must be in writing and delivered to the secretary. The secretary shall promptly send a copy of the written resignation to the appointing organization.

ARTICLE V. MEETINGS

Section 1. Meetings to Be Open to the Public. All meetings of the Council shall be open to the public, and any person may attend its meetings. Except as permitted below, all meetings of the Council shall be open to the public and any person may attend its meetings. For purposes of these rules, a meeting of the Council occurs whenever a majority of the Council's members gather, either in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Council's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. No meeting shall occur except as part of a duly called and advertised meeting. For the avoidance of doubt informal gatherings of a majority of the members where business of the Council is discussed are strictly prohibited.

Section 2. Regularly Scheduled Meetings. The Council shall hold regular meetings on a quarterly basis on the fourth Monday of January, April, July and October at 6:00 pm in the City Operations Assembly Room located at 305 Williams Street. The Council shall annually adopt a regular meeting schedule showing the dates, times, and places of its regular meetings for the year.

- a) Notice of Regular Meeting Schedule. The Council shall ensure that a copy of its current regular meeting schedule, complete with the date, time, and place of each regular meeting, is filed with the City Clerk and posted on the City's website, and the Council's webpage if they have one.
- b) Change to Regular Meeting Schedule. The Council may revise its regular meeting schedule to change the date, time or place of a particular regular meeting or all regular meetings within a specified period. The Council shall ensure that the revised regular meeting schedule is filed with the City Clerk at least seven (7) consecutive calendar days before the first meeting held pursuant to the revised schedule. The Council shall also have the revised schedule posted on the City's website and the Council's webpage if they have one.

Section 3. Special Meetings. The chair or the majority of the members of the Council may at any time call a special meeting of the Council by signing a notice stating the date, time and place of the special meeting and the subjects to be considered. Alternatively, a special meeting may be called by vote of the Council in open session during a regular meeting or another duly called special meeting if on the special meeting agenda.

- 1) **Notice to the public.** At least 48 hours before a special meeting, the Council shall cause written notice of the meetings date, time, place and purpose(s) to be:
 - i Posted on the Council's principal bulletin Council or, if the Council has no such bulletin Council, at the door of the Council's usual meeting room.
 - ii Mailed or delivered to each newspaper, wire service, radio station and television station and person who has filed a written request for notice with the secretary.
- 2) **Notice to Council Members.** For all meetings called by the chair, or a majority of the members, notice of the meeting date, time, place, and purpose(s) shall be mailed, emailed, or delivered to all members of the Council at least 48 hours before the meeting. If the special meeting was called at another duly held meeting of the Council, and one or more members were absent, the chair shall ensure that notice of the meeting's date, time, place, and purpose(s) is mailed, emailed, or delivered to any absent member(s) a minimum of forty-eight hours in advance of the special meeting.
- 3) **Business Conducted at a Special Meeting.** Only the business that is specified in the notice of the meeting may be transacted during a special meeting.

Section 4. Organizational Meeting. On the date and at the time of the regular meeting in October or as soon thereafter as possible, the Council shall elect a chair and vice chair as its first order of business. The second order of business shall be to adopt an annual scheduled of meetings for the upcoming calendar year.

Section 5. Electronic Council Meetings and Member Participation. No member who is not physically present may participate in a meeting of the Council by electronic means except in accordance with this rule.

- 1) **Electronic Meetings Generally.** Provided a quorum is present, in person, at a meeting, Council members may participate in a meeting electronically provided. Any member wishing to participate electronically in a meeting shall be required to give the Chair and the Secretary at least thirty-six (36) Hours before the

start of the meeting. When one or more members are participating remotely, the following rules shall apply:

(a) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:

- i when roll is taken or the meeting begins;
- ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
- iii before voting.

(b) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member

- i to hear what is said by other Council members and any person who addresses the Council and
- ii to be heard by other Council members.

(c) *Voting.* The Council shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Council maintains electronic communication with that member.

(d) *Minutes.* The minutes shall which members took part electronically, and when such members joined or left the electronic meeting.

2) **Electronic Meetings During a State of Emergency Declared by the Governor or General Assembly.** During any state of emergency declared by the Governor or General Assembly pursuant to G.S. 166A-19.20, any public body within the emergency area may conduct remote meetings in accordance with this section and Article 33C of Chapter 143 of the General Statutes throughout the duration of that declaration of emergency. An electronic meeting of the Council shall comply with the requirements of 166A-19.24, Public Bodies/Remote Meetings During Declared Emergencies Section 4.31.(a), as outlined in this paragraph if the Council falls within the emergency area and at least one Council member attends the meeting by conference call, conference video, or other electronic means.

(a) *Notice.* The public notice for any regular, special, emergency, or recessed meeting that is subject to this paragraph shall specify how the public can access the electronic meeting in real time.

(b) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:

- i when roll is taken or the meeting begins;
- ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
- iii before voting.

(c) *Meeting Materials.* All documents considered during the meeting shall be furnished to each Council member.

(d) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member

- i to hear what is said by other Council members and any person who addresses the Council and
- ii to be heard by other Council members.

(e) *Quorum.* A member who attends by electronic means counts as present for quorum purposes, but only while the Council maintains electronic communication with that member.

(f) *Voting.* The Council shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Council maintains electronic communication with that member.

(g) *Acting by Reference.* The Council shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that person in attendance can understand what is being deliberated or acted upon.

(h) *Minutes.* The minutes shall indicate that the meeting was conducted by electronic means, which members took part electronically, and when such members joined or left the electronic meeting.

(i) *Public Records.* All chats, instant messages, texts, or other written communications between members of the public body regarding the transaction of the public business during the remote meeting are deemed a public record.

(j) *Live Streaming.* The meeting shall be streamed live online so that live audio (and video, if any) are available to the public. If the Council meets by conference call, the public shall have an opportunity to dial in or stream the audio live and listen to the electronic meeting.

(k) *Public Hearings.* Although it may conduct any public hearing mandated or permitted by law, the Council shall allow the public to submit written comments on the hearing's subject matter between the publication of any required notice and twenty-four hours after the hearing.

Section 6. Cancellation of Meetings. Whenever there is no business for the Council the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. However, in the case of a special meeting called by a majority of the Council, the chair may cancel the meeting only upon the concurrence of a majority of the Council. The majority concurring in the cancellation need not be the same majority that called the special meeting.

Section 7. Recessed Meetings

(a) *Calling Recessed Meetings.* When conducting a properly called regular, special, or emergency meeting, the Council may recess the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Article XI, Section 5 (Motion 3). The motion shall state the time (including the date if the meeting will resume on a different day) and place at which the meeting will resume.

(b) Notice of Recessed Meetings. If the Council's website is maintained by one or more Council employees, notice of the recessed meeting's date, time, and place shall appear on the website prior to the meeting. No further notice of a properly called recessed meeting is required.

Section 8. Order of Business Items shall be placed on a regular-meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- adoption of the agenda,
- approval of the previous meeting minutes,
- public comment,
- public hearings,
- administrative reports,
- Council reports,
- unfinished business, and
- new business.

Without objection, the chair may call agenda items in any order most convenient for the dispatch of business.

Section 9. Agenda

(a) Proposed Agenda. The Secretary shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Council member may, by a timely request, have an item placed on the proposed agenda. Each Council member shall receive a copy of the proposed agenda and any attachments, and they shall be available for public inspection and/or distribution when they are distributed to the Council members.

(b) Adoption of Agenda. As its first order of business at each meeting, the Council shall, as specified in Article 8, discuss, and revise the proposed agenda and adopt an agenda for the meeting. The Council may by majority vote add items to or subtract items from the proposed agenda, except that the Council may not add items to the agenda of a special meeting unless (1) all members are present and (2) the Council determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Council may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Council members.

The Council may designate certain agenda items "for discussion and possible action." Such designation means that the Council intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Section 10. Meeting Minutes. Minutes Required for All Meetings. The Council shall keep full and accurate minutes of its meetings, including any closed sessions. To be "full and accurate," the minutes must record all actions taken by the Council, as well as the Council's compliance with any applicable procedural requirements. The minutes 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 Council member discussions, though the Council in its discretion may decide to incorporate such details into the minutes.

- a) Record of “Ayes” and “Noes.” At the request of any member, the minutes shall indicate how each member voted by name on a particular matter.

Section 11. Public Input. Public input at all Council meetings shall have a three-minute limit per speaker. The Chair reserves the right to alert time limits for public comment periods.

Section 12. Broadcasting and Recording Meetings. Any person may photograph, film, tape-record, or otherwise reproduce any part of a Council 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 Council meeting.

- a) Advance Notice. Any radio or television station that plans to broadcast any portion of a Council meeting shall so notify the secretary no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Council meeting.
- b) Equipment Placement. The Council chair or an appropriate staff member may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Council meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Council chair or staff member 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 chair or staff member may require the pooling of the equipment and the personnel operating it.
- c) Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the Council grants the request, the news media making the request shall pay the costs incurred by the local government unit in securing an alternative meeting site.

ARTICLE VI. VOTING

- a) Duty to vote. It is the duty of each member, including the chair, to vote unless otherwise excused. The Council may excuse members from voting on any matter involving their own financial interest, official conduct, or when a member has indicated an inability to be impartial in any matter before the Council.
- b) Abstentions. Should a member fail to vote on any matter before the Council, without having been excused from such vote, such abstention will count as an affirmative vote.

ARTICLE VII. REQUIRED OFFICERS

Section 1. Presiding Officer. The presiding officer of each meeting of the Council shall be the chair of the Council. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Council, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Council, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 2. Selection of the Chair and Vice Chair. The Chairman of the Advisory Council will be alternated between the City and County representative. Each will serve a two-year term as Chairman. The vice-chair shall be the City or County representative when not serving as Chairman. If the chair is vacated the vice-chair shall become the chair for the remainder of the vacated term or until a replacement representative is appointed. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Council, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Council, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 3. Powers and Duties of the Chair and Vice Chair. The chair shall preside at all meetings of the Council but shall also have the right to engage in discussion and vote on any matter before the Council unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice chair shall have all powers and perform all the duties of the chair in his or her absence.

Section 4. Duties of the Chair.

(a) Presiding Officer. The chair shall preside at meetings of the Council.

(b) Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.

(c) Recognition of Members. A member must be recognized by the chair (or other presiding officer) in order to address the Council.

(d) Powers as Presiding Officer. As presiding officer, the chair is to enforce these rules and maintain order and decorum during Council meetings. To that end, the chair may

(1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;

(2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;

(3) entertain and answer questions of parliamentary procedure;

(4) call a brief recess at any time; and

(5) adjourn in an emergency.

Section 5. Duties of the Secretary. The City Manager shall assign a staff liaison(s) to the Council who shall serve as the secretary of the Council and shall perform the following:

a) The secretary shall ensure that all meetings of the Council are properly noticed.

b) The secretary shall maintain the sunshine list for their governing authority that is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Council.

c) The secretary shall take and record the actions of the Council and draft minutes of the meetings accordingly. Minutes shall be sent to Council members prior to their next regularly scheduled meeting. The secretary shall also forward a copy of the minutes as they are approved to the City Clerk and post on their websites.

d) The secretary shall be responsible for maintaining an accurate list of members of the Council, submitting to the City Clerk an annual attendance report for its members and notifying the Clerk of any resignations of any of its members, or any other change in membership of the Council.

Section 6. Schedule for Elections. Election of the Chair, and Vice-Chair shall take place annually at the organizational meeting of the Council.

ARTICLE VIII. REFERENCE TO ROBERT'S RULES OF ORDER NEWLY REVISED. The Council shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the presiding officer shall make a ruling on the issue subject to appeal to the Council under Article XI, Section 5 (Motion 1).

ARTICLE IX. REPORTS.

Section 1. Annual Report. The Council shall make a report to the City of Hendersonville City Council least annual. This report must be submitted no later than October quarterly meeting of each year beginning in 2022.

Section 2. Public Records Law. The Council shall abide by North Carolina Public Records Law N.C.G.S. Chapter 132.

ARTICLE X. ACTION BY THE COUNCIL.

Section 1. Quorum. A majority of the members shall constitute a quorum. Attendance by a member's alternate shall count towards a quorum. No action of the Council may be taken at any meeting where less than the required quorum is present, except to adjourn the meeting.

Section 2. Motions and Voting. Action of the Council may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after full discussion of the motion by the members.

Section 3. Withdrawal of Motion The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

Section 4. Substantive (or Main) Motions A substantive motion is not in order when any other motion is pending. Once the Council 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 Article XI, Section 5 (Motion 13).

Section 5. Procedural Motions

(a) Certain Motions Allowed. The Council may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) 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

- I. any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 11 and
- II. a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 8.

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

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on 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 Council 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 Article V Section 8. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Council is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is considered; 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 two-thirds of the Council's actual membership, excluding any vacant seats. The Council may not suspend provisions in these rules that restate state law requirements.

Motion 7. To Defer Consideration. The Council 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 Council votes to revive it pursuant to Motion 12 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 8. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 9. To Postpone to a Certain Time. This motion may be employed to delay the Council's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 10. To Refer a Motion to a Council. The Council may vote to refer a substantive motion to a Council for study and recommendations. While the substantive motion is pending before the Council, the Council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the Council fails to report on the motion within sixty days of the referral date, the Council shall take up the motion if asked to do so by the member who introduced it.

Motion 11. To Amend

- (a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.
- (b) Limit on Number of Motions to Amend. 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.

Motion 12. To Revive Consideration. The Council may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 7, provided it does so within 100 days of its vote to defer consideration.

Motion 13. To Reconsider. The Council may vote to reconsider its action on a matter, provided the motion to reconsider is made (1) at the same meeting during which the action to be reconsidered took place and (2) 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 Council’s deliberation on a pending matter.

Motion 14. To Rescind. The Council may vote to rescind an action taken at a prior meeting, provided rescission is not forbidden by law.

Motion 15. To Prevent Reintroduction for Six 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 affirmative votes equal to at least two-thirds of the Council’s total membership, excluding vacant seats. If this motion is adopted, the ban on reintroduction remains in effect for six months or until the Council’s next organizational meeting, whichever occurs first.

Section 6. Debate

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.
- To the extent practicable, debate shall alternate between proponents and opponents of the measure.

Section 7. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Section 8. Changing a Vote

A member may change the member’s 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 a 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.

Section 10. Appointing Sub Committees. Subcommittees may only be appointed by vote of the Council members at a regular meeting. The Council by vote shall also establish the purpose of which subcommittees are established and the subcommittees should only conduct business that is within the purpose so adopted. All meetings of subcommittees shall be considered special meetings and shall be conducted in accordance with Article 5, Section 3. Special Meetings.

ARTICLE XI. ANNUAL REPORT

The Council shall make a report to their appointing authority at least annual. This report must be submitted no later than October 31st of each year.

ARTICLE XII. REFERENCE TO ROBERT’S RULES OF ORDER

Councils shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR)*, to answer procedural questions not resolved in these rules, so long as RONR does not conflict with North Carolina law or with the spirit of these rules.

ARTICLE XII. AMENDMENTS. The Council may amend these bylaws by action of the Council; provided however, that amendments shall not be effective until they are approved by the Hendersonville City Council

1st Amended by the by the City Council on January 22, 2018.

Revised and amended by the City Council on August 5, 2021.

Daniel Andreotta, WSAC Chairman
Henderson County Commissioner

Jeff Miller, WSAC Vice-Chairman
City of Hendersonville Council Member

Attest:

Angela L. Reece, City Clerk

Barbara G. Volk, Mayor
City of Hendersonville