

**RULES OF PROCEDURE FOR THE
MOUNT AIRY / SURRY COUNTY
AIRPORT AUTHORITY**

Effective July 23, 2020

MOUNT AIRY / SURRY COUNTY AIRPORT AUTHORITY
SURRY COUNTY, NORTH CAROLINA

RULES OF PROCEDURE FOR
MOUNT AIRY / SURRY COUNTY AIRPORT AUTHORITY

The following rules shall supersede any rules or procedures adopted prior to this date. The following rules shall be the Rules of Procedures adopted by the Mount Airy / Surry County Airport Authority (Board) to follow when meeting to conduct public business.

On the whole, rules of procedure of a governing Board are intended to govern formal meetings of the Board to exercise any of its executive and legislative powers conferred by law. These rules fulfill that purpose and also are designed to ensure Board compliance with the Open Meetings Law G.S. 143-318.9 through 318.18, which applies to any gathering of a majority of the Board to discuss public business. The rules also apply to regular informal work sessions or committee meetings where public business occurs but no official action is taken.

Regular Meeting

The Board shall hold a regular meeting on the fourth Thursday every other month, beginning at 6:00 p.m. in Room 102 located in the Historic Courthouse at 114 West Atkins Street, Dobson, NC 27017.

I. Applicability

Rule 1. Applicability of Rules

These rules apply to all meetings of the Board at which the Board is empowered to exercise any of the executive, administrative, or legislative powers conferred on it by law.

II. Open Meetings

Rule 2. Meetings to Be Open

(a) It is the public policy of North Carolina and of Surry County that the hearings, deliberations, and actions of this Board be conducted openly.

(b) Except as otherwise provided in these rules and in accordance with applicable law, each official meeting of the Board shall be open to the public and any person is entitled to attend such a meeting.

(c) For the purposes of the provisions of these rules concerning open meetings, an official meeting of the Board is defined as any gathering together at any time or place or the simultaneous communication by video-conference, telephone or other electronic means of a majority of Board members for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the Board.

Rule 3. Closed Sessions

The Board may hold closed session as provided by law. It shall commence a closed session by a

majority vote to do so and terminate a closed session in the same manner.

(a) Notwithstanding the provisions of Rule 2, the Board may hold a closed session and exclude the public under the following circumstances, and as otherwise permitted by NCGS 143.318.11, and no other circumstances:

1. To prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or is not considered a public record within the meaning of Chapter 132 of the General Statutes.
2. To consult with the Board Attorney or another attorney employed or retained by the Board in order to preserve the attorney-client privilege. General policy matters may not be discussed in a closed session. The Board may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.
3. To discuss matters relating to the location or expansion of industries or other businesses in the county.
4. To consider and take action with respect to the position to be taken by the county in negotiating (i) the price or other material terms of an agreement for the acquisition, option, exchange or lease of real property; or (ii) the amount of compensation and other material terms of an employment contract or a proposed employment contract.
5. To consider the initial employment or appointment of an individual to any office or position, other than a vacancy on the Board or any other public body, and to consider the qualifications, competence, performance, character, and fitness of any public officer or employee, other than a member of the Board or of some other public body.
6. To hear or investigate a charge or complaint by or against an individual public officer or employee.
7. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(b) The Board may go into closed session only upon motion made and adopted at an open meeting.
****A motion to go into closed session must cite one or more of the permissible purposes listed in NCGS 143-318.11**

(c) Unless the motion to go into closed session provides otherwise, the County Manager, General Manager, Assistant County Manager, Board Attorney, and Clerk to the Board may attend the closed session. No other person may attend the closed session unless specifically invited by the majority of the Board.

III. Organization of the Board

Rule 4. Organizational Meeting

(a) The Board shall hold an organizational meeting at its regular meeting place at 6:00 p.m. at the first meeting in January of each year. The Chair shall call the meeting to order and the General Manager shall preside until a Chair is elected. The Board shall then elect a Chair and Vice-Chair from among its members. The Chair shall review the list of Board appointments and make any necessary changes at the first regular meeting in January.

Rule 5. Election of the Chair

The Chair of the Board shall be elected annually for a term of one year and shall not be removed from the office of Chair unless he or she becomes disqualified to serve as a member of the Board. The Vice-Chair may be removed upon a majority vote of the Board at any regular meeting.

IV. Regular and Special Meetings

Rule 6. Regular and Special Meetings

(a) **Regular Meetings.** Subject to the foregoing, the Board shall hold a regular meeting on the fourth Thursday, every other month, at 6:00 p.m. The Board may change the place or time of a particular regular meeting or all regular meetings within a specified time period by resolution adopted, posted, and noticed no less than ten days before the change takes effect. Such a resolution shall be posted at or near the regular meeting place, and copies shall be sent to all persons who have requested notice of special meetings of the Board.

(b) **Special Meetings.** The Chair or a majority of the members of the Board or the General Manager may at any time call a special meeting of the Board by signing a notice stating the time and place of the meeting and the subjects to be considered. The General Manager/Clerk to the Board shall cause the notice to be posted on the meeting room door at the Historic Courthouse and delivered, by email or mail, to the Chair and all other Board members or left at the usual dwelling place of each member at least 48 hours before the meeting. In addition, the notice shall be mailed or delivered to individual persons and news media organizations that have requested such notice as provided in subsection (d), below. Only those items of business specified in the notice may be transacted at a special meeting.

(c) **Emergency Meetings.** If a special meeting is called to deal with an unexpected circumstance that requires immediate consideration by the Board, the notice requirements of this rule do not apply. However, the person or persons who call an emergency meeting shall take reasonable action to inform the other members and the public of the emergency meeting. Local news organizations that have requested notice of special meetings as provided in subsection (d), below, shall be notified of such emergency meetings by the same method used to notify Board members. Only business connected with the emergency may be discussed at the meeting.

(d) **Sunshine List.** Any individual person and any newspaper, wire service, radio station, or television station may file with the Clerk to the Board a written request for notice of all special meetings of the Board. Requests made by news media organizations must be renewed annually on or before December 31.

(e) Video Conference or Teleconference. The Board has authorized, by Resolution dated July 23, 2020, the Board to meet electronically by video conference or teleconference. If it meets in this manner, such meeting must be conducted by a technology that allows all persons participating to hear each other at the same time. The opportunity for simultaneous communication is central to the deliberative character of the meeting, and is what distinguishes such a meeting from attempts to do business by postal service or electronic mail or by fax.

The Board has authorized regular, special and emergency Board meetings to take place electronically or telephonically to accommodate Board members who cannot attend a meeting due to circumstances beyond their control or due to an event that prevents the full Board from meeting in its usual chamber due to a serious health or safety issue. In such cases, the following procedures shall apply:

1. The Board authorizes and permits the use of electronic or telephonic meetings to accommodate the needs of members who cannot attend due to circumstances beyond their control or due to an event that prevents the full Board from meeting in its usual chamber due to a serious health or safety issue. Such electronic or telephonic meetings shall only be permitted where a means of technology is available that allows all persons participating to hear each other at the same time, thereby offering the opportunity for simultaneous communication and deliberation.
2. Board Members participating electronically or telephonically will address the Board Chair when seeking to obtain the floor and shall wait until the Board Chair recognizes them before asserting control of the floor.
3. General discussion among Board members present and those connected electronically or telephonically shall be of an informal nature as if the remote Board member was present. The remote Board member shall announce his or her identity prior to speaking if simultaneous communication has no video component.
4. A Board member participating by telephonic or electronic means shall be counted for voting purposes and for purposes of establishing a quorum. Should a Board member participating remotely lose contact due to a technological mishap, and should contact fail to be restored, the failure of the remote member to cast a vote will be treated as if the remote member has been excused from the vote. The remote member shall continue to count toward a necessary quorum of the Board only so long as the remote member has simultaneous contact with the Board.
5. A Board member participating by only telephonic means shall not participate in Closed Session discussions. A Board member participating by way of video conference with audio capability may participate in closed session discussions.

6. The Board Member who is not physically present shall be counted toward the establishment of a quorum so long as connected, and the absent Board Member may cast a deciding vote on a matter pending before the Board.
7. In the event a Board meeting is attended electronically by all Board members, due to an event that prevents the full Board from meeting in its usual chamber due to a serious health or safety issue, the meeting will be streamed to the Surry County website or to a third party internet platform that can be accessed by the public.
8. In the event a Board meeting is attended electronically by all Board members, due to an event that prevents the full Board from meeting in its usual chamber as the result of occupancy or maximum gathering restrictions imposed at the federal, state or local level, the meeting will be streamed to the Surry County website or to a third party internet platform that can be accessed by the public.

(f) Remote Meetings During Periods of Declared Emergencies.

1. Remote Meetings: Notwithstanding any other provision of law, upon issuance of a declaration of emergency under GS 166A-19.20 by the Chair of the Surry County Board of Commissioners, the Board may conduct remote meetings in accordance with this Section and Article A33C of Chapter 143 of the General Statutes throughout the duration of that declaration of emergency.
2. Requirements: The Board shall comply with all of the following with respect to remote meetings conducted under this Section:
 - i. The Board shall give proper notice under GS 143-318.12 and any other requirement for notice applicable to the Board. The notice shall also specify the means by which the public can access the remote meeting as the remote meeting occurs.
 - ii. Any member of the Board participating by means of simultaneous communication in which that remote member cannot be physically seen by the Board must identify himself or herself in each of the following situations:
 - When the roll is taken or the remote meeting is commenced.
 - Prior to participating in deliberations, including making motions, proposing amendments, and raising points of order.
 - Prior to voting.
 - iii. All documents to be considered during a remote meeting shall be provided to each Board member.
 - iv. The method of simultaneous communication shall allow for any member of the public to do all of the following:

- Hear what is said by members of the Board.
 - Hear what is said by any individual addressing the Board.
 - To be heard by members of the Board when speaking to the Board.
- v. All votes shall be by roll call. No vote shall be permitted by secret or written ballots.
 - vi. The Board shall comply with GS 143-318.13(c).
 - vii. The minutes of the remote meeting shall reflect that the meeting was conducted by use of simultaneous communication, which Board members were participating by simultaneous communication, and when such members joined or left the remote meeting.
 - viii. All chats, instant messages, texts, or other written communications between Board members regarding the transaction of public business during the remote meeting are deemed a public record.
 - vix. Remote meeting shall be simultaneously streamed live online so that simultaneous live audio, and video, if any, of such meeting is available to the public. If the remote meeting is conducted by conference call, the Board may comply with the subdivision by providing the public with an opportunity to dial in or stream the audio live and listen to the remote meeting.
3. **Quorum.** A Board member participating by simultaneous communication under this section shall be counted as present for quorum purposes only during the period while simultaneous communication is maintained by that member.
 4. **Voting by Board Members.** Votes of each Board member during a remote meeting under this Section shall be counted as if the member were physically present only during the period while simultaneous communication is maintained by that member.
 5. **Closed Sessions:** The Board may conduct a closed session as authorized in GS 143-318.11 and the public shall have no right of access to the closed session.
 6. **Not Exclusive:** This subsection applies only during emergency declarations and does not supersede other portions of Rule 6 of these Rules of Procedure.

Rule 7. All Meetings within the County

All meetings shall be held within the boundaries of Surry County except as otherwise provided herein.

1. A joint meeting with the governing board of any other political subdivision of this state or any other state may be held within the boundaries of either subdivision as may be stated in the call of the meeting. At any such joint meeting, this Board reserves the right to vote separately on all matters coming before the joint meeting.
2. A special meeting called for the purpose of considering and acting upon any order or resolution requesting members of the General Assembly representing all or any portion of this county to support or oppose any bill pending in the General Assembly or proposed for introduction therein may be held in Raleigh or such other place as may be stated in the call of the meeting.

Rule 8. Broadcasting and Recording Meetings

(a) Except as provided in this rule, any person, radio or television station is entitled to broadcast all or any part of an official meeting of the Board that is required to be open to the public. Any person may video, photograph, film, tape-record, or otherwise reproduce any part of a meeting required to be open.

(b) Any person, radio or television station wishing to broadcast any portion of an official meeting of the Board shall so notify the General Manager no later than noon the Monday before the meeting. If the number of requests or the quantity and size of the necessary equipment is such that the meeting cannot be accommodated in the designated meeting room, the General Manager may require the news media either to pool equipment and personnel or to secure and pay the costs of an alternative meeting site that is mutually agreeable to the Board and the media representatives.

V. Agenda

Rule 9. Agenda

(a) The General Manager shall prepare the agenda for each regular, special, and emergency meeting. Any Board member may, by a timely request, have an item placed on the agenda. The agenda packet will be approved by the Chair of the Board prior to the mailing of the agenda package.

(b) The agenda packet shall include the agenda document, and supporting documentation and background information relevant to items on the agenda. A copy of the agenda packet shall be made available to each member of the Board prior to the meeting by any method chosen by each Board member. Documents in the agenda packet, if not previously available for public inspection, shall become so when packets have been delivered to each Board member or left at his or her usual dwelling.

(c) The Board may, by unanimous vote, add an item that is not on the agenda.

Rule 10. Order of Business

The Chair of the Board has the discretion to set the agendas before each meeting.

Without objection from the Commissioners, the Chair may call items in any order most convenient for the dispatch of business.

VI. Conduct of Debate

Rule 11. Powers of the Chair

The Chair shall preside at all meetings of the Board. A member must be recognized by the Chair in order to address the Board. The Chair shall have the following powers:

1. To rule on points of parliamentary procedure, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground. The speaker can be ejected, by the Chair, for disturbance;
3. To call a recess at any time;
4. To adjourn in an emergency.

Rule 12. Action by the Board

The Board shall proceed by motion. Any member, including the Chair, may make a motion.

Rule 13. Second Required

A motion shall require a second.

Rule 14. One Motion at a Time

A member may make only one motion at a time.

Rule 15. Substantive Motion

A substantive motion is out of order while another substantive motion is pending.

Rule 16. Adoption by Majority Vote

A motion shall be adopted if approved by a majority of the votes cast, a quorum being present, unless these rules or the laws of North Carolina require an extraordinary majority.

Rule 17. Debate

The Chair shall state the motion and then open the floor for open debate.

Rule 18. Renewal of Motion

A defeated motion may not be renewed for 3 months without a motion to suspend the rules and reintroduce the motion. If adopted, all normal rules and procedures apply.

Rule 19. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before the Chair puts the motion to a vote.

Rule 20. Duty to Vote

It is the duty of each member to vote unless excused by a majority vote according to law. The Board may excuse members from voting on matters involving their own financial interest or official conduct. A member who wishes to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members. A member who fails to vote, not having been excused,

shall be recorded as voting in the affirmative. An absence shall not be counted in the vote. This Rule shall not apply to a Board member attending remotely who becomes disconnected from the meeting as a result of a technical mishap.

Rule 21. Prohibition of Secret Voting

No vote may be taken by secret ballot. If the Board decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, at which time they may be destroyed.

Rule 22. Action by Reference

The Board shall not deliberate, vote, or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted on.

Rule 23. Quorum

A majority of the Board membership shall constitute a quorum. The number required for a quorum is not affected by vacancies. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, he or she shall be counted as present for the purposes of determining whether a quorum is present. The Board may compel the attendance of an absent member by ordering the Sheriff to take the member into custody.

Rule 24. Minutes

Minutes shall be kept of all Board meetings.

Rule 25. Reference to *Robert's Rules of Order*

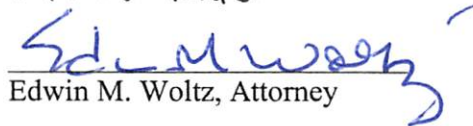
To the extent not provided for in, and not conflicting with the spirit of, these rules, the Chair shall refer to *Robert's Rules of Order* to resolve procedural questions.

Approved this the 23rd day of July, 2020.

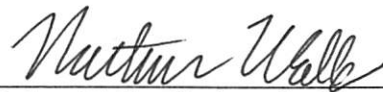


~~Larry Johnson, Chair~~

MARK MANION



Edwin M. Woltz, Attorney



Nathan Walls, Clerk to the Board

STATE OF NORTH CAROLINA

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RESOLUTION

MOUNT AIRY / SURRY COUNTY

COUNTY OF SURRY

AIRPORT AUTHORITY

Upon Motion of Mark Marion, seconded by Eddie Harris, the Mount Airy / Surry County Airport Authority Board at its regular meeting unanimously adopted the following Resolution:

WHEREAS, the Mount Airy / Surry County Airport Authority has the power to adopt its own Rules of Procedure and has in fact operated under rules loosely based upon Roberts' Rules of Order; and

WHEREAS, Roberts' Rules (10th Edition) states "the Bylaws may authorize a Board or Committee to meet by video conference or teleconference. If they do, such meeting must be conducted by a technology that allows all persons participating to hear each other at the same time. The opportunity for simultaneous communication is central to a deliberative character of the meeting, and is what distinguishes it from attempts to do business by postal or electronic mail or by fax. It is advisable to adopt special rules of order and standing rules, as appropriate, to specify precisely how recognition is to be sought and that the floor obtained during videoconferences and teleconferences." and

WHEREAS, the Mount Airy / Surry County Airport Authority desires to adopt its Rules of Procedure to specifically permit regular, special and emergency Board meetings that may take place electronically or telephonically to accommodate Board members who cannot attend a meeting due to circumstances beyond their control.

NOW, THEREFORE, based upon the foregoing, the Mount Airy / Surry County Airport Authority adopts its Rules of Order as follows:

1. The Board affirms the use of rules patterned loosely after Roberts' Rules of Order to govern regular, special and emergency meetings of the Mount Airy / Surry County Airport Authority.
2. Further, the Board adopts Rules of Procedure to authorize and permit the use of electronic or telephonic meetings to accommodate the needs of members who cannot attend due to circumstances beyond their control. Such electronic or telephonic meetings (1) shall only be permitted where a means of technology is available that allows all persons participating to hear each other at the same time, thereby offering the opportunity for simultaneous communication and deliberation; (2) shall comply with North Carolina's open meetings laws; and (3) shall comply with statutory mandates during periods where a State of Emergency has been declared.
3. Board Members participating electronically or telephonically will address the Board Chair when seeking to obtain the floor and shall wait until the Board Chair recognizes them before asserting control of the floor.

4. General discussion among Board members present and those connected electronically or telephonically shall be of an informal nature as if the remote Board member was present.
5. A Board member participating by telephonic or electronic means shall be counted for voting purposes but not for purposes of establishing a quorum.
6. A Board member participating by telephonic or electronic means shall not participate in Closed Session discussions.

This is the 23rd day of July, 2020.

Board Members voting in favor of the Resolution: Commissioner Marion,
 Commissioner Harris, Commissioner Rowe, Commissioner
Goins, Commissioner _____, Commissioner
 _____ and Commissioner _____.

Mark Marion
~~Larry Johnson~~ MARK MARION
~~Vice Chairman~~
 Airport Authority

Nathan Walls
 Nathan Walls
 Clerk to the Board