



TOWN OF SURF CITY

June 21, 2019 WORK SESSION AGENDA

Agenda

9:00 AM / Friday, June 21, 2019

Surf City Welcome Center, 102 N. Shore Drive

Call to Order

Mayor Douglas C. Medlin, Mayor

Invocation & Pledge

Introductions & Welcome

Work Plan

1. Town Council Suggested Rules of Procedure
2. Saltwater Landing Sec. 5 Roads Acceptance
3. Closed Session NCGS 143-318.11(a)(3) Attorney Client Privilege: Legal Services

Town Council Work Plan Items:

1. Town Council Suggested Rules of Procedures

Presented by Stephanie Hobbs, Town Clerk

2. Saltwater Landing Sec. 5 Roads Acceptance

Presented by Chad Merritt, Parks & Rec. Director

3. Closed Session NCGS 143-318.11(a)(3) Attorney Client Privilege: Legal Services

RESOLUTION 2019-****

APPROVAL OF RULES OF PROCEDURE

WHEREAS, The Town Council operate under adopted rules of procedure; and

WHEREAS, these rules have been revised due to changes in state law and to conform to current practices.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Surf City that the attached revised rules of procedure are hereby adopted.

Adopted this ** theday of August 2019.

ATTEST:

Stephanie Edwards Hobbs, Town Clerk

Douglas C. Medlin, Mayor

THIS IS AN ANNOTATED VERSION OF THE TOWN OF SURF CITY'S MEETING PROCEDURES. ANNOTATIONS ARE TO TREY ALLEN'S SUGGESTED RULES OF PROCEDURE FOR A CITY COUNCIL. FOURTH EDITION, UNC SCHOOL OF GOVERNMENT ("Suggested Rules")

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Preamble

The Town of Surf City Meeting Procedures set forth the rules for calling, conducting and memorializing meetings of the Town of Surf City Town Council (the "Board") as well as the procedures for actions during such meetings. These procedures are designed to promote transparency and efficiency throughout Board Meetings. They contain explanatory annotations with references to the North Carolina General Statutes, the Town's Charter, and secondary resources which inform the policy behind these procedures. Where possible, the annotations indicate where these procedures deviate from the Suggested Rules.

1. Regular Meetings

(a) *Regular Meeting Schedule.* Unless otherwise determined by the Board, the Board shall hold a regular meeting on the first Tuesday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day, and except for July where no meeting is held. The meeting shall be held at the Town Hall and shall begin at 6:30 PM. A copy of the Board's current meeting schedule shall be filed with the town clerk.

(b) *Change to Meeting Schedule.* Notwithstanding paragraph (a) of this rule, the Board may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule.

N.C.G.S. §160A-71 allows the Board to fix a time and place for regular meeting; N.C.G.S. §143-3 18.12(a) requires the Board's schedule of regular meetings to be kept on file with the town clerk.

2. Special, Emergency, and Adjourned Meetings

Special Meetings. The mayor, the mayor pro tempore, or any two members of the Board may at any time call a special Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be

(a) delivered to the mayor and each Board member either in person or via e-mail (to his or her Town e-mail address) or left at his or her usual dwelling place;

(a) posted on the Board's principal bulletin board, or if none, at the door of the Board's usual meeting room; and

(c) mailed, e-mailed, or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this

manner, unless all members are present or have signed a written waiver of notice.

A special meeting may also be called or scheduled by vote of the Board in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least 48 hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (a) posted on the Board's principal bulletin board, or if none, at the door of the Board's usual meeting room; and (b) mailed, e-mailed, or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Such notice shall also be mailed, e-mailed, or delivered at least 48 hours before the meeting to each Board member not present at the meeting at which the special meeting was called or scheduled, and to the mayor if he or she was not present at that meeting.

Any notice required to be posted on the Board's principal bulletin board or at the door of the Board's usual meeting room shall be posted on the door of the building or on the building in an area accessible to the public if the building containing the principal bulletin board or usual meeting room is closed to the public continuously for 48 hours before the time of the meeting.

The town shall post notice of any meeting held in accordance with this Rule 2(a) prior to the scheduled time of that meeting.

Emergency Meetings. The mayor, the mayor pro tempore, or any two members of the Board may at any time call an emergency Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each Board member or left at his or her usual dwelling place at least six hours before the meeting. Notice of the meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request, which includes the newspaper's, wire services, or station's telephone number, with the town clerk. This notice shall be given either by e-mail, by telephone or by the same method used to notify the mayor and the Board members and shall be given at the expense of the party notified.

Emergency meetings may only be called because of generally unexpected circumstances that require immediate consideration by the town Board. Only business connected with the emergency may be considered at an emergency meeting.

Adjourned Meetings. A properly called regular, special, or emergency meeting may be adjourned by a procedural motion made and adopted as provided in Rule 16 Procedural Motions in open session during the regular, special, or emergency meeting. No further notice need be given of an adjourned session of a properly called regular, special, or emergency meeting, if the time and place at which the meeting is to be continued is announced in open session.

N.C.G.S. §160A-71 and 143-318.12(b);

3. **Organizational Meeting**

On the date and at the time of the first regular meeting following a general election in which Board members are elected, or at an earlier date, if any, set by the incumbent Board, the newly elected members shall take and subscribe the oath of office. Unless postponed to a time certain, the Board shall at the same meeting, elect a mayor pro tempore. This organizational meeting shall not be held before the municipal election results are officially determined, certified, and published in accordance with Subchapter IX of Chapter 163 of the North Carolina General Statutes.

N.C.G.S. §160A-68;

4. **Agenda**

The Town Clerk shall develop a preliminary agenda for the next regular business meeting from the Board's work session held on the third Friday of each month. The town clerk shall prepare and distribute the agenda for each regular business meeting. Except for emergency and other time-sensitive matters, a request to have an item of business placed on the agenda must be received by the town clerk before the commencement of the work session. The Mayor may have an item placed on the proposed agenda. A Board member may have an item placed on the proposed agenda at or following the work session, if at least one other Board member agree. The Town Manager may place an emergency or time-sensitive item on the proposed agenda at or following the work session, in his or her discretion, no later than twenty- four (24) hours prior to the next regular meeting. A copy of all proposed ordinances shall be attached to the final agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each Board member shall receive a copy of the proposed agenda and the agenda package, and it shall be available for public inspection and distribution or copying when it is distributed to the Board members.

N.C.G.S. §160A-71(c).

Approval of Agenda: As its first order of business at each meeting, the Board shall review the draft agenda, make whatever revisions it deems appropriate, and adopt a formal agenda for the meeting.

Amending the Agenda: Before the adoption of the agenda the council may add or subtract agenda items by majority vote of the members present and voting.

Consent Agenda: The Board may designate part of an agenda for a regular meeting as the consent agenda. Items may be placed on the consent agenda by the person(s) charged with preparing the draft agenda if the items are judged to be noncontroversial and routine. Prior to the Board's adoption of the meeting agenda the request of any member to have an item moved from the consent agenda to unfinished or general business must be honored by the Board. All items on the consent agenda must be voted on and adopted as one single motion, with minutes reflecting the motion and vote for each item.

The Board shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Board to understand what is being deliberated, voted, or acted on. The Board may, however, deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting.

5. **Order of Business**

Adoption of the Agenda
Approval of the Consent Agenda
Public Hearings
Public Comments
Administrative Reports
Unfinished Business
New Business
Council Comments
Attorney Reports

6. **Presiding Officer- Mayor**

When present the Mayor is the presiding officer. The Mayor may only vote when an equal number of affirmative and negative votes have been cast.

A member must be recognized by the Mayor or presiding in order to address the Board, but recognition is not necessary for an appeal.

As presiding officer, the Mayor is to enforce these rules and maintain order and decorum during Board meetings. The Mayor may:

- Rule on points of parliamentary procedure;
- Determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain a rule on objections from other members on this ground;
- Entertain and answer questions of parliamentary procedure;
- Call a brief recess at any time; and
- Adjourn in an emergency meeting.

Annotation: Ordinance Chapter I Sec. 4

7. **Public Address to the Board**

The Board shall provide at least one period for public comment per month at the Board's regular meeting. [NOTE: The Board may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing.]

The Board may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the Board's real or apparent jurisdiction.

N.C.G.S § 160A-81.1.

8. **Action by the Board**

The Board shall proceed by motion. Any member may make a motion.

9. **Second Required**

A motion shall require a second.

Annotation Differs from rule 22 page 35

10. **One Motion at a Time**

A member may make only one motion at a time.

11. **Substantive Motions**

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

12. **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.

13. **Voting by Written Ballot**

The Board may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the Board shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the town clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

N.C.G.S. §143-318.13(b).

14. **Debate**

The mayor or presiding officer shall state the motion, then open the floor to debate and shall direct the debate according to the following general principles:

- (a) The introducer (the member who makes the motion) is entitled to speak first;
- (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- (c) To the extent possible, the debate shall alternate between opponents and proponents of the measure.

***ANNOTATION** Suggested Rule 25, Suggested Rules p 36.*

15. **Procedural Motions**

In addition to substantive proposals, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption.

***ANNOTATION** See Suggested Rule 31, Suggested Rules pp. 41-52. Note: Suggested Rules provides a more formal and comprehensive approach to Procedural Motions practice including permitting additional Procedural Motions not included herein.*

See RONR

In order of priority (if applicable), the procedural motions are:

- (a) *To Adjourn.* A motion to adjourn is always in order and will be decided without debate.
- (b) A motion to adjourn to a time and place certain shall also comply with the requirements of Rule 2(c).
- (c) *To Take a Brief Recess.*
- (d) *Call to Follow the Agenda.* The motion must be made at the time an item of business deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

***ANNOTATION** See Suggested Rules p 44.*

- (e) *To Suspend the Rules.* To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds of the council's actual membership, excluding vacant seats and not counting the mayor if the mayor votes only in case of a tie. The Board may not suspend provisions of the rules that state requirements imposed by law on the Board.
- (f) *To Divide a Complex Motion.* This motion is in order whenever a member wishes to consider and vote on parts of a complex motion separately. The member who makes this motion must specify how the complex motion will be divided.
- (g) *To Defer Consideration (To Lay on the Table).* A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.

***ANNOTATION** See Suggested Rules p 46. Note Suggested Rules includes additional language making clear a new substantive motion with the same effect may not be considered and makes clear action must be taken to revive the substantive motion.*

- (h) *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.

****ANNOTATION**** See *Suggested Rules p 47*

- (i) *To Postpone to a Certain Time or Day.*

****ANNOTATION**** See *Suggested Rules p 48.*

- (j) *To Refer to a Committee.* The Board may vote to refer a substantive motion to a committee for study and recommendations. Sixty days or more after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, whether or not the committee has reported the matter to the Board

****ANNOTATION**** See *Suggested Rules p 48.*

- (k) *To Amend.* An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the amended motion has the same effect as rejection of the original motion.

A motion may be amended, and that amendment may be amended, but no further amendments may be made.

Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.

When a motion to amend is under consideration, a motion to amend the amendment may not be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

****ANNOTATION**** See *Suggested Rules p 48-49.*

- (l) *To Revive Consideration.* The motion is in order any time within 100 days after the day of a vote to defer consideration pursuant to a motion properly taken under Rule 16(f). A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

****ANNOTATION**** See *Suggested Rules p 50.*

- (m) *To Reconsider.* The motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

****ANNOTATION**** See *Suggested Rules p 50.*

- (n) *To Rescind or Repeal.* The Board may vote to rescind an action taken at a prior meeting

provided rescission is not forbidden by law.

***ANNOTATION** See Suggested Rules p 51.*

- (o) *To Prevent Reconsideration for Six Months.* The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to two-thirds of the actual membership of the Board excluding the mayor and vacant seats. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the Board, whichever occurs first.

***ANNOTATION** See Suggested Rules p 51.*

16. **Propriety of Motion**

When a question is under consideration by the Board, no motion (other than a motion to adjourn, which always is in order) shall be entertained except to:

- (a) Defer consideration (Lay on the table);
- (b) Postpone to a time certain;
- (c) Postpone indefinitely;
- (d) Refer to a committee;
- (e) Amend;
- (f) Strike out or insert;
- (g) Divide.

Motions for any of the purposes listed in subsections (a) through (g) above have precedence in the order named.

17. **Withdrawal of Motion**

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

***ANNOTATION**:* See Suggested Rules p 36 (Rule 24). Under the Suggested Rules amendment of the motion also forecloses its withdrawal.

18. **Duty to Vote**

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the mayor, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. Additionally, when the Board is acting in a quasi-judicial capacity, no Board member shall participate in a manner that would violate an affected person's constitutional rights to an impartial decision maker. Impermissible conflicts that could jeopardize an affected person's constitutional rights include, but are not limited to, a member having a fixed opinion prior to hearing the matter, which opinion is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with an affected person; or a financial interest in the

outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. In all cases other than those set forth in this Rule 20, a failure to vote by a member who is physically present in the Board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. A member's unexcused failure to vote shall not be recorded as an affirmative vote if the motion concerns a proposal to amend, supplement, or repeal a zoning ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

N.C.G.S. §160A-75 and §160A-388(e)(1); Charter, Art. III, Sec. 3.6(b).

***ANNOTATION** See Suggested Rules p. 38 (Rule 28). This rule provides greater guidance than the Suggested Rules as to what may constitute grounds for recusal under North Carolina law incorporating principles from the statutory language. The final sentence has been added to track modifications to N.C.G.S. §160A-75, specifically to reflect a policy decision by the North Carolina General Assembly to allow abstentions when voting to amend or repeal zoning ordinances.*

19. **Closed Sessions**

The Board may hold closed sessions as provided by law. The Board shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. The Board shall terminate the closed session by a majority vote.

Only those actions authorized by statute may be taken in closed session. A motion to adjourn or recess shall not be in order during a closed session.

N.C.G.S. §143-318.11.

***ANNOTATION** See Suggested Rules p 9.*

20. **Quorum**

The presence of quorum is necessary for the council to conduct business. A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

N.C.G.S. §160A-74;

***ANNOTATION** See Suggested Rules p 6.*

North Carolina statute defines Quorum as: "A majority of the actual membership of the council plus the mayor, excluding vacant seats, shall constitute a quorum." G.S. 160A-74

21. **Quorum at Public Hearings**

A quorum of the Board shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular Board meeting without further advertisement.

N.C.G.S. §160A-81;

ANNOTATION: This rule does not appear in Suggested Rules.

22. **Meeting Minutes**

The Board must keep full and accurate minutes of all its meetings, including closed session. To be "full and accurate" minutes must record all action taken by the council. They 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 discussions of the council, though the council in its discretion may decide to incorporate such details in the minutes.

***Annotation** See Suggested Rules p. 13*

23. **Minutes for Closed Sessions**

When the Board meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Minutes and accounts of closed sessions may be sealed by action of the Board. Such sealed minutes or accounts may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session. The minutes or accounts will remain sealed until further action of the Board.

N.C.G.S. §160A-72 and 143-318.

***ANNOTATION** See Suggested Rules p.14*

24. **Reference to Robert's Rules of Order Newly Revised**

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the Board shall refer to Robert's Rules of Order Newly Revised, to answer unresolved procedural questions.

***ANNOTATION** See Suggested Rules p 65 (Rule 41).*

APPENDIX

Permitted Procedural Motions in Order of Precedence¹

<u>Motion</u>	Vote Required ²	Special Requirements
(a) To Adjourn	Majority	Motion to adjourn is always in order (except that it is out of order in closed session) and will be decided without debate. Motion to adjourn to a time and place certain must also comply with Rule 2(c). <i>ANNOTATION: See Suggested Rules p 43.</i>
(b) To Take a Brief Recess	Majority	None. <i>ANNOTATION: See Suggested Rules p 43.</i>
(c) Call to Follow the Agenda	Majority	Must be made at first reasonable opportunity, or the right to make it is waived for the out-of-order item in question. <i>ANNOTATION: See Suggested Rules p 44.</i>
(d) Call of the Previous Question	Majority	Not in order until there have been at least 20 minutes of debate, and every member has had an opportunity to speak once. <i>ANNOTATION: See Suggested Rules p 47.</i>
(e) To Suspend the Rules	Two-Thirds	The Board may not suspend provisions of the rules that state requirements imposed by law on the Board. <i>ANNOTATION: See Suggested Rules P 44.</i>

¹ Under these rules all procedural motions are debatable (other than a motion to adjourn) and all require a second. All may be amended, subject to the stated limitations on motions to amend (Motion (j)). Except where indicated otherwise, procedural motions may interrupt deliberations on a pending substantive matter.

² The required vote for adoption of a procedural motion is generally a majority of the votes cast, a quorum being present. In a few cases, the required vote is a vote equal to two-thirds of the actual membership of the Board, excluding the mayor and vacant seats.

Motion	Vote Required	Special Requirements
(f) To Defer Consideration {To Lay on the Table}	Majority	A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration (Motion (m)) is adopted. <i>ANNOTATION: See Suggested Rules p 46.</i>
		CAUTION: Do not confuse with Motion (g).
(g) To Postpone to a Certain Time or Day	Majority	None. <i>ANNOTATION: See Suggested Rules p 48.</i>
		CAUTION: Do not confuse with Motion (f).
(i) To Refer to a Committee	Majority	Sixty days or more after a motion is referred to a committee, the introducer may compel consideration of the measure by the Board, regardless of whether the committee has reported the matter to the Board. <i>ANNOTATION: See Suggested Rules p 48.</i>
(j) To Amend	Majority	Amendments must be pertinent to the subject matter of the motion being amended. An amendment is improper if adoption of the amendment has the same effect as rejection of the original motion. A motion may be amended, and that amendment may be amended, but no further amendments may be made. An amendment to a proposed ordinance must be reduced to writing before the vote on the amendment. <i>ANNOTATION: See Suggested Rules p 48.</i>
(k) To Strike Out or Insert	Majority	None

Motion	Vote Required	Special Requirements
(l) To Revive Consideration	Majority	In order at any time within 100 days after the day of a vote to defer consideration (Motion (t)). Failure to adopt Motion (m) within the 100-day period results in expiration of the deferred substantive motion. <i>ANNOTATION: See Suggested Rules p 50.</i>
(m) To Reconsider	Majority	Must be made by a member who voted with the prevailing side. May only be made at the meeting at which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. Cannot interrupt deliberation on a pending matter, but is in order at any before final adjournment of the meeting. <i>ANNOTATION: See Suggested Rules p 48.</i>
(n) To Rescind or Repeal	Majority	Not in order if rescission or real of an action is forbidden by law. <i>ANNOTATION: See Suggested Rules p 51.</i>
(o) To Prevent Reconsideration for Six Months	Two-Thirds	In order immediately following defeat of a substantive motion and at no other time. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the Board, whichever occurs first. <i>ANNOTATION: See Suggested Rules p 51.</i>

<u>Motion</u>	Vote Required	Special Requirements
(p) To Close a Meeting (To Enter into Closed Session)	Majority	<p>The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The Board shall terminate the closed session by a majority vote.</p> <p><i>ANNOTATION: See <u>Suggested Rules</u> p 9.</i></p>

CAUTION: A motion to adjourn is not in order during a closed session. The closed session should be terminated by a majority vote and a motion to adjourn made thereafter in open session.