

**STATE OF NORTH CAROLINA
COUNTY OF CRAVEN
CITY OF HAVELOCK**

**RESOLUTION ESTABLISHING THE
"HAVELOCK AVIATION HERITAGE FOUNDATION"
AS AN OPERATING, ADVISORY AND FUNDRAISING DIVISION AND AN "AIRCRAFT RESTORATION
CURATOR" POSITION
FOR THE SUPPORT OF THE TOURIST & EVENT CENTER'S
AVIATION HISTORY EXHIBITS**

**RESOLUTION NO. 19-R-08
RESOLUTION AMENDING THE MEMBERSHIP AND TERMS OF THE EASTERN CAROLINA AVIATION
HERITAGE FOUNDATION**

Supersedes Resolution No. 06-R-11, 07-R-07, 09-R-16, 09-R-27, 10-R-12; 11-R-11; and 18-R-03

WHEREAS, on January 31, 2000 the Havelock Board of Commissioners (Board) determined that the Havelock Tourist & Event Center (Center) would "enhance the economic climate of the city by providing a facility to attract tourists and furnish visitor information, accommodate groups for meetings and special events, and incorporate a first-class Marine Corps aviation exhibit" into the Center; and,

WHEREAS, the Board has established that the overall theme for the Center's history exhibits must focus on the history of Havelock and/or Marine Corps aviation highlighted by the accomplishments of MCAS Cherry Point and its outlying fields, as well as the exploits of tenant units, aircraft and individuals; and,

WHEREAS, the Center's history exhibits utilize historical knowledge, research, expertise, text, photographs, film, art, memorabilia, models and artifacts; and,

WHEREAS, the Center's aircraft exhibits require specialized knowledge and care; and,

WHEREAS, the Board desires to establish a "Eastern Carolina Aviation Heritage Foundation" to advise the Board on exhibit matters and to organize, coordinate, and implement historical programs that support the Center's themes and purposes of the Center's exhibits; and,

WHEREAS, the Board desires to establish an "Aircraft Restoration Curator" position to advise the Board on aircraft restoration matters.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Havelock hereby establishes the ***EASTERN CAROLINA AVIATION HERITAGE FOUNDATION and an AIRCRAFT RESTORATION CURATOR*** position as follows:

Section 1. Established

The Eastern Carolina Aviation Heritage Foundation ("Foundation") and an Aircraft Restoration Curator ("Curator") position are hereby established for the City, subject to the terms of this Resolution.

Section 2. Mission; Authority; Duties; Limitations

(a) The Foundation acts on behalf of the City and shall be committed to continuing and improving the Center's exhibits. The Foundation's powers and authority are derived solely from the Havelock Board of Commissioners, hereinafter "Board," and may be withdrawn or modified by the Board at any time.

(b) The Foundation shall perform the following duties:

(1) Develop, organize, coordinate, support, supervise, promote, maintain and enhance the Center's aviation and community history exhibits.

(2) Solicit, receive and expend for the benefit of the Center's exhibits funds and property provided to the Foundation by the City or any private funds as may be donated or made available for the benefit of the Center's exhibits.

(3) Solicit, accept, and hold artifacts and memorabilia, and to acquire on behalf of the City any artifacts or memorabilia by purchase or gift for the benefit of the Center's exhibits.

(4) Act as an advisory board to the Commission on matters dealing with exhibit themes, placement, expansion, acquisition, or other matters that the Commission may request the Foundation's advice.

(5) Supervise the Aircraft Restoration Curator.

(6) Establish ad hoc and permanent committees to further the mission of the Foundation.

(7) Develop and recommend to the Board exhibit themes and major exhibit modifications and implement such recommendations pursuant to the Board's instructions.

(8) Recruit and supervise exhibit volunteers.

(c) The Foundation shall exercise its authority under the supervision of the City Manager and Board. Any act or decision of the Foundation may be reviewed or modified by the Board upon recommendation by the City Manager.

Section 3. Aircraft Restoration Curator

(a) The Aircraft Restoration Curator shall be appointed by the Board to serve for one or more two-year terms. The Curator shall serve without compensation. The Curator may be removed by the Board if the Board determines that such removal would be in the best interests of the Foundation and the City. A vacancy occurring for reasons other than expiration of a term shall be filled by the Board as the vacancy occurs for the period of the unexpired term.

(b) The Foundation shall supervise the Curator to ensure that the aircraft restoration is properly planned, implemented and maintained.

(c) The Curator will be responsible for ensuring that the aircraft on exhibit are maintained in a manner that does not detract from the original operational configuration whenever possible. All repairs and modifications to aircraft on display must be authorized by the Curator.

(d) Aircraft restoration volunteer candidates will be selected by the Curator based upon their qualifications and ability to participate in scheduled work sessions. The Curator will supervise the aircraft restoration volunteers and provide the necessary expertise and repair procedures.

(e) The Curator will be responsible for the aircraft maintenance workshop and shop contents, and will ensure that appropriate safety procedures are adhered to both on the exhibits and in the shop workspace.

(f) The Curator shall, no later than February 15th of each year, submit to the Foundation a written report of his activities, expenditures, goals, and requested budget for the next fiscal year. Upon request, the Curator will give an oral presentation of this report to the Foundation and/or Board.

Section 4. Membership and Terms

(a) The Foundation shall consist of sixteen members appointed by the City's Mayor and Board. Appointments shall be made as follows:

- (1) One seat shall be the Havelock Mayor
- (2) One seat shall be a member of the Havelock Board of Commissioners
- (3) One seat shall be the Havelock City Manager or his/her designee
- (4) One seat shall be the Aircraft Restoration Curator appointed by the Havelock Board of Commissioners
- (5) One seat shall be a retired or active duty member of the United States Marine Corps or Navy
- (6) One seat shall be a Havelock business representative
- (7) Six seats shall be at-large
- (8) One seat shall be designated as an historian to the board
- (9) One seat shall be designated as an educational outreach representative to the board
- (10) One ex-officio non-voting seat shall be a representative of the Fleet Readiness Center East.
- (11) One ex-officio non-voting seat shall be a representative of Marine Corps Air Station Cherry Point

(b) Initial appointments to the Foundation will be as follows: Three members shall be appointed for one-year terms, two members shall be appointed for two-year terms and three members shall be appointed for three-year terms. Thereafter, Foundation members shall serve three year, staggered terms. Terms shall expire on June 30th. The seats for the Havelock Mayor, member of the Havelock Board of Commissioners, Havelock City Manager and Aircraft

Restoration Curator shall be filled by the person currently holding the named position with the City of Havelock and shall not have specified expirations.

(c) All voting and Honorary members of the Foundation shall serve without compensation. Any such Foundation member may be removed by the Board if the Board determines that such removal would be in the best interests of the Foundation and the City. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term by Board.

Section 5. Chairman and Vice-chairman

(a) A chairman shall be appointed by the Board for a term of one (1) year beginning July 1. The chair shall be the chief executive officer of the Foundation and preside over the regular scheduled meetings and provide input to assigned city staff on agenda preparation. The Chairman will only vote in the event of a tie.

(b) A vice chairman shall be elected by the Foundation's members for a term of one (1) year beginning July 1. The vice-chairman shall serve as chairman in the absence of the chair, and at such times have the same powers and duties of the chair.

Section 6. Honorary Members

The Foundation may nominate from time to time any number of individuals to be recognized as Honorary Members of the Foundation, and the Board may select Honorary Members from those so nominated. Honorary Members should exhibit any one or more of the following characteristics: (i) an interest in the City, MCAS Cherry Point, military aviation, military history, or museums, (ii) be recognized for a high level of public service, or (iii) possess specialized expertise of value to the Foundation. Honorary Members are not required to attend any Foundation business meeting and may not vote on Foundation business or serve as Chairman or Vice-Chairman. Honorary Members may participate in all other Foundation activities and may be recognized in publications or special events at the Foundation's discretion.

Section 7. Meetings

(a) Regular meetings of the Foundation shall be held each month in the conference room of the Center at a time designated by the Foundation, or other agreed upon place and time, and special meetings may be held at other times upon a call made by the Chairman. The Foundation shall establish a regular monthly meeting schedule and file said schedule with the City Clerk.

(b) A quorum shall be constituted by a simple majority of the Foundation's voting members. The act of a majority of the voting members present at a meeting at which a quorum is present shall be the act of the Foundation, unless the act of a greater number is required by law. Foundation members may not vote by proxy.

(c) Meetings shall be conducted according to such parliamentary procedures as may be adopted from time to time by the Foundation, this ordinance, the North Carolina open meetings laws, and any other applicable laws. The Chairman shall decide all points of order and procedure, subject to these rules.

Section 8. Attendance

Regular and prompt attendance at all meetings by Foundation members is expected. Participation and a reliable performance of duties on assigned Foundation projects are required. In accordance with the Attendance at Meetings Policy adopted by the Havelock Board of Commissioners on September 27, 1993, membership to this Foundation can be terminated by the Mayor and Board of Commissioners if a member fails to attend three meetings in a calendar year without contacting the Chairman or assigned staff personnel. A copy of the Attendance at Meetings Policy is attached to this resolution and, by reference, is incorporated as part thereof. The Foundation shall submit attendance records of all members along with the annual report.

Section 9. Voting

The vote of a majority of those present shall be sufficient to decide any matter before the Foundation provided a quorum is present.

Section 10. Committees

The Chairman may establish such working committees as may be in furtherance of the Foundation's purposes and shall appoint a chairman and members to each such committee. Committee members may include Foundation members and non-members. The Foundation shall establish procedures and criteria, as needed, to implement its work program.

Section 11. Staff

A staff member from the Department of Administrative Services will assist with administrative functions for the Foundation and prepare minutes of meetings as required by the Open Meetings Laws of the North Carolina General Statutes.

Section 12. Fund Raising; Budgets; Accounts

(a) The Foundation may solicit and receive contributions from private agencies, foundations, organizations, individuals, the state or federal government, or any other source in addition to any sums appropriated for its use by the Board. All fund-raising activities shall be coordinated with the City Manager and conducted in accordance with all City ordinances and state laws, policies and procedures.

(b) The Foundation is a division of the City and operates within the Tourist & Event Center Enterprise Fund. The Foundation may accept funds only on behalf of the City and in accordance with this resolution, regular City policy covering expenditures, and under the supervision and direction of the City Finance Director and City Manager. All accounts and funds collected, held, or disbursed by Foundation are property of the City and shall be administered in accordance with the requirements of City policies and the North Carolina Municipal Fiscal Control Act. Funds donated to the Foundation for exhibit purposes shall not be expended by the City for any other purpose.

(c) The Foundation shall prepare and submit an annual budget to the City Manager for inclusion in the City's annual budget. The Foundation's budget request shall be balanced against existing funds and anticipated revenues to be collected during the fiscal year, and the Board retains full authority to set the Foundation's budget.

Section 13. Access to the Center

(a) The Center is owned and operated by the City and serves as a meeting facility leased by the public for special events and meetings. Paid events have priority over all other activities.

(b) Any proposed Foundation activities shall be coordinated with the Sales Manager for the Center or, in his/her absence, with the Director of Administrative Services.

(c) The Foundation shall have free use of the Center for fund-raising activities. Such activities shall be booked with the Sales Manager in advance of the activity date provided the proposed date is available.

(d) The Foundation's members are authorized to access the Center and each member must assume responsibility for ensuring, when needed, that the facility is secure upon exit. The Chairman of the Foundation will be provided a key to the exterior building door, the exhibit cases and the maintenance shop section of the storage building behind the Center. The Chairman will also be provided an access code for the security system. The Chairman shall be responsible for keys and codes assigned and shall return such keys and codes to the City upon expiration of the Chairman's term.

Section 14. Records; Annual Report

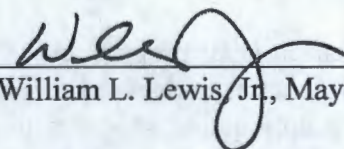
(a) The Foundation's Chairman shall have the responsibility to ensure that accurate records and minutes of all Foundation proceedings are maintained and that all applicable requirements of the North Carolina Public Records laws are followed. In addition, each committee chair shall have the responsibility to ensure that accurate records and minutes of all proceedings of such committees are maintained and that all applicable requirements of the North Carolina Public Records laws are followed.

(b) The Foundation shall, no later than March 15th of each year, submit to the Mayor and Board a written report of its activities, membership attendance statistics, an accounting of its fund-raising activities, a statement of its expenditures to date for the current fiscal year, and its requested budget for the next fiscal year. Upon request, the Foundation will give an oral presentation of this report to the Board.

BE IT FURTHER RESOLVED, that a copy of this resolution be made a part of the official minutes of this meeting.

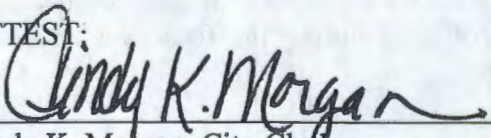
Adopted this 26th day of August, 2019.

CITY OF HAVELOCK



William L. Lewis, Jr., Mayor

ATTEST:



Cindy K. Morgan, City Clerk

**Eastern Carolina
Aviation Heritage Foundation**

Rules of Procedure

Rule 1. Regular Meetings

The Foundation Board shall hold a regular meeting on the second Friday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on another day as may be so designated by the Foundation Board. The meeting shall be held at the Havelock Tourist and Event Center and shall begin at 8:30 a.m. A copy of the board's current meeting schedule shall be filed with the City of Havelock's City Clerk Office.

Rule 2. Special, Emergency, and Recessed or Adjourned Meetings

(a) Special Meetings. The chair, vice-chair or a majority of the voting members may at any time call a special meeting of the board. At least forty-eight 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 (1) provided to each board member; (2) posted on the board's principal bulletin board or, if none, at the door of the board's usual meeting room; and (3) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the Foundation Board's Secretary.

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 forty-eight hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the board's principal bulletin board or, if none, at the door of the board's usual meeting room and (2) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with Foundation Board's Secretary. Such notice shall also be mailed or delivered at least forty-eight hours before the meeting to each board member not present at the meeting at which the special meeting was called or scheduled.

Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all voting members are present and (2) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

(b) Emergency Meetings. The chair or a majority of the voting members may at any time call an emergency meeting of the board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be provided to each board member and to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request with Foundation Board's Secretary and whose request includes the newspaper's, wire service's, or station's telephone number. Notice to the news media shall be given at the expense of the party notified.

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

(c) Recessed or Adjourned Meetings. A properly called regular, special, or emergency meeting may be recessed or adjourned to a time and place certain by a procedural motion made and adopted as provided in Rule 16(b), Motion 2, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular, special, or emergency meeting.

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Rule 3. Organizational Meeting

Pursuant to Section 5 of the "Resolution Establishing The Havelock Aviation Heritage Foundation", that upon the Board of Commissioners July appointment of a Foundation Chairman, the Foundation Board will conduct an organizational meeting at the time of the first regular meeting in August. As business, the Foundation Board shall elect a vice-chair and any other officers, using one of the nomination and voting procedures set out in Rule 25. The vice-chairman shall serve as chairman in the absence of the chairman and at such times have the same powers and duties of the chair.

Rule 4. Agenda

(a) Proposed Agenda. The Foundation Board's Secretary shall seek the Chairman's input on preparing 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 board member may, by a timely request, have an item placed on the proposed 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 such shall be available for public inspection and/or distribution when it is distributed to the board members.

(b) Adoption of the Agenda. As its first order of business at each meeting, the board shall, as specified in Rule 6, discuss and revise the proposed agenda and adopt an agenda for the meeting. The board may by majority vote add items to or subtract items from the proposed agenda, except that the board may not add items to the agenda of a special meeting unless (a) all voting members are present and (b) the board 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 board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all board members.

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

(c) Open Meetings Requirements. 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. However, the board may 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.

Rule 5. Public Address to the Board

Any individual or group who wishes to address the board shall make a request to be on the agenda to either the Chairman or Board's Secretary. However, the board shall determine at the meeting whether it will hear the individual or group.

Rule 6. Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

Discussion and revision of the proposed agenda; adoption of an agenda

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Approval of the minutes
Public hearings
Administrative reports
Committee reports
Unfinished business
New business
Informal discussion and public comment

By general consent of the board, items may be considered out of order.

Rule 7. Presiding Officer

The chair of the board shall preside at board meetings if he or she is present, unless he or she becomes actively engaged in debate on a particular matter. The chair shall have the right to vote only when there is a tie. In order to address the board, a member must be recognized by the chair.

If the chair is absent, the vice-chair shall preside. If both the chair and vice-chair are absent, another member designated by vote of the board shall preside. The vice-chair or another member who is temporarily presiding retains all of his or her rights as a member, including the right to make motions and the right to vote.

If the chair becomes actively involved in debate on a particular matter, he or she may designate another board member to preside over the debate. The chair shall resume presiding as soon as action on the matter is concluded.

The presiding officer shall have the following powers:

- To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- To entertain and answer questions of parliamentary law or procedure;
- To call a brief recess at any time;
- To adjourn in an emergency.

A decision by the presiding officer under any of the first three powers listed may be appealed to the board upon motion of any member, pursuant to Rule 16, Motion 1. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

Rule 8. Action by the Board

The board shall proceed by motion, except as otherwise provided for in Rules 3, 4, and 25. Any member, including the chair, may make a motion.

Rule 9. Second Not Required

A motion does not require a second.

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Rule 10. One Motion at a Time

A member may make only one motion at a time.

Rule 11. Substantive Motions

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

Rule 12. Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 22 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

Rule 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 Board's Secretary 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.

Rule 14. Debate

The chair shall state the motion and then open the floor to debate. The chair shall preside over the debate according to the following general principles:

The maker of the motion is entitled to speak first;

A member who has not spoken on the issue shall be recognized before someone who has already spoken;

To the extent possible, the debate shall alternate between proponents and opponents of the measure.

Rule 15. Ratification of Actions

To the extent permitted by law, the board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Rule 16. Procedural Motions

(a) Certain Motions Allowed. In addition to substantive proposals, only the following procedural motions, and no others, are 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. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

(b) Order of Priority of Motions. In order of priority, the procedural motions are

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of

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courtesy in his remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board, as specified in Rule 7. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess or adjourn to a time and place certain shall also comply with the requirements of Rule 2(c).

Motion 3. To Take a Brief Recess.

Motion 4. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity or it is waived.

Motion 5. To Suspend the Rules. The board may not suspend provisions of the rules that state requirements imposed by law on the board. For adoption, the motion requires an affirmative vote equal to *two-thirds* of the voting membership of the board.

Motion 6. To Go into Closed Session. The board may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the board expects to receive advice during the closed session, if in fact such advice is to be received.

Motion 7. To Leave Closed Session.

Motion 8. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Motion 9. To Defer Consideration. The board may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion [Rule 16(b), Motion 14], or else move to suspend the rules [Rule 16(b), Motion 5].

Motion 10. Motion for the Previous Question. The motion is not in order until every member has had an opportunity to speak once.

Motion 11. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules [Rule 16(b), Motion 5].

Motion 12. To Refer a Motion to a Committee. The board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported the matter to the board.

Adopted 5/14/10

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Motion 13. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed policy or regulation or resolution shall be reduced to writing before the vote on the amendment.

Motion 14. To Revive Consideration. The board may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9 of Rule 16(b). The motion is in order at any time within [100] days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

Motion 15. To Reconsider. The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the "nos" prevail) 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.

Motion 16. To Rescind or Repeal. The board may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

Motion 17. To Prevent Reintroduction 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 a majority of the entire membership of the board. 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.

Rule 17. Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

Rule 18. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

Rule 19. Duty to Vote

Every member must vote unless excused by the remaining voting members of the board. A member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining voting members. No

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member shall be excused from voting except in cases involving conflicts of interest, as defined by the board or by law, or the member's official conduct, as defined by the board. In all other cases, 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 voting members present, shall be recorded as an affirmative vote.

Rule 20. Special Rules of Procedure

None.

Rule 21. Closed Sessions

The board may hold closed sessions as provided by law. The board shall commence a closed session only 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, mediations, arbitrations, 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, using Motion 7 of Rule 16(b).

Only those actions authorized by statute may be taken in closed session. A motion to adjourn shall not be in order during a closed session [Rule 16(b), Motion 2].

Rule 22. Quorum

A majority of the voting membership of the board excluding vacant seats shall constitute a quorum. A majority is half. The chair shall be considered a member of the board in determining the number on which a majority is based and in counting the number of voting members actually present. A member who has withdrawn from a meeting without being excused by majority vote of the remaining voting members present shall be counted as present for purposes of determining whether or not a quorum is present.

Rule 23. Public Hearings

Public hearings required by law or deemed advisable by the board shall be organized by a special order that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted for each speaker, and other pertinent matters. The special order is adopted by a majority vote. Its specifications may include, but are not limited to, rules fixing the maximum time allotted to each speaker; providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; 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 (so long as arrangements are made, in the case of hearings subject to the open meetings law, for those excluded from the hall to listen to the hearing); and providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the open meetings law applicable to board meetings shall also apply to public hearings at which a majority of the board is present; such a hearing is considered to be part of a regular or special meeting of the board. These requirements also apply to hearings conducted by appointed or elected

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committees of board members, if a majority of the committee is present. A public hearing for which any required notices have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 2(c) shall be followed in continuing a hearing at which a majority of the board, or of a board committee, as applicable, is present.

At the time appointed for the hearing, [the board shall vote to open the hearing and] the chair or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

Rule 24. Minutes

Full and accurate minutes of the board proceedings, including closed sessions, shall be kept. The board shall also keep a general account of any closed session so that a person not in attendance would have a reasonable understanding of what transpired. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the board, the entire board shall be polled by name on any vote. Voting members' and other persons' comments may be included in the minutes if the board approves.

Minutes and general accounts of closed sessions may be sealed by action of the board. Such sealed minutes and general accounts may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

Rule 25. Appointments to ECAHF

The board may consider and make appointments to other bodies, including its own committees, if any, only in open session. Pursuant to the "*Resolution Establishing The Eastern Carolina Aviation Heritage Foundation*", the board may not consider or fill a vacancy among its own membership but shall make recommendation to the Havelock Board of Commissioners.

Rule 26. Committees and Boards

(a) Establishment and Appointment. The board may establish and appoint members for such temporary and standing committees and boards as are required by law or needed to help carry on the board's work. Any specific provisions of law relating to particular committees and boards shall be followed.

(b) Open Meetings Law. The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of a local governmental unit that are composed of two or more voting members and that exercise or are authorized to exercise legislative, policy-making, quasi-judicial, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among a unit's professional staff.

Rule 27. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute or a rule of the body that created the board provides otherwise. Adoption of an amendment shall require an affirmative vote equal to a

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quorum.

Rule 28. Reference to *Robert's Rules of Order*

Boards shall refer to the current edition of *Robert's Rules of Order Newly Revised*, 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.