



Town of Selma

Appearance Commission

Board of Adjustment

Historic Properties Committee

Library Board

Planning Board

Recreation Advisory Board

Tourism Committee

AFFIRMATION OF UNDERSTANDING

SECTION I. SUBSECTION E.

If an appointee has unexcused absences, which constitute more than 25% of the Board/Committee's meetings in any calendar year, which he or she is required to attend pursuant to his or her appointment, he or she is obligated to resign. Excused absences are defined as absences caused by events beyond one's control.

If the individual refuses to resign, he or she may be dismissed by action of Town Council subject to state or local law. A calendar year is to be defined as a 12-month period beginning on the date of appointment.

This is to affirm that I have read and understand the intent of "Section I, Subsection E" above.

Signature

Date

Please return one signed copy to:
Nicholas Sorrell
Town of Selma
114 North Raiford Street
Selma, North Carolina 27576

**BY-LAWS GOVERNING
SELMA APPEARANCE COMMISSION**

Sec. 17-1630 - Composition.

An Appearance Commission (the "Commission") is hereby established consisting of nine (9) members; six (6) members who are residents of the town and are appointed by the Town Council, and three (3) members who resides in the town's planning jurisdiction and shall be appointed by the Selma Town Council. The commission may invite individuals who have demonstrated special training or experience in a design field, such as architecture, landscape design, horticulture, city planning or a closely related field to join the commission in their discussions and duties. In addition, Selma business owners are strongly encouraged to participate as members of the Commission. Applications for the Appearance Commission will be reviewed by the Commission and then a recommendation shall be provided to the Town Council for the final appointment decision.

- A. **Tenure.** Members of the Appearance Commission shall be appointed to serve terms of three (3) years, and until their respective successors have been appointed and qualified. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled for the un-expired term only. Faithful attendance at the meetings of the Commission is considered a prerequisite for maintenance of membership on the Commission. No member may serve more than three (3) consecutive terms or a total of nine (9) years on the Commission, however, the Town Council may authorize an additional term if a vacancy needs to be filled. A former member may serve for another three (3) terms or a total of nine (9) years after a two (2) year consecutive waiting period. During the waiting period, the citizen may serve on another board, commission, committee or authority.

- B. **Officers.** The Appearance Commission shall elect one (1) member to serve as Chairman and preside over its meetings. The Chairman shall set, approve, and make changes to the agenda, and shall also create and fill such offices and committees as it may deem necessary. The term of the Chairman and other offices shall be one (1) year, with eligibility for reelection to a second term. Elections shall be held in August of each year. Town Employees are not authorized to serve as the Chairman of this Commission.

(Ord. of 2-14-17(2))

Sec. 17-1631. - Powers and duties.

The commission, at the direction of the Town Council, is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in G.S. Chapter 160A, Article 19, Part 7, Section 160A-452, including, but not limited to:

- A. To initiate, promote, and assist in the implementation of programs of general community beautification in the Selma community;

- B. To review and make recommendations on the appropriateness of improvements to public facilities, including buildings, landscapes, and signs;
- C. To provide leadership and guidance in matters of community design and appearance to individuals and public and private agencies and organizations, and to develop programs to recognize those individuals and organizations making improvements to community appearance;
- D. To serve as a participating member of federal, state, and local organizations whose programs bear on community appearance;
- E. To prepare both general and specific plans for the improved appearance of the entire community or any portion thereof, including private as well as public property. Such plans shall set forth desirable standards and goals for the aesthetic enhancement of the community or any portion thereof, including public ways and areas, open spaces, public and private buildings and projects; and
- F. To formulate and recommend to the Planning Board and Town Council the adoption or amendment of any ordinance that may affect the appearance of the community.
- G. Members of the Appearance Commission shall present appearance and holiday awards on a regular basis. These awards need to be published and made available to all residents.
- H. Members of the Appearance Commission shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed.

(Ord. of 2-14-17(2))

Sec. 17-1632. - Meetings.

The commission shall establish a regular meeting schedule and shall meet at least quarterly and more often as it shall determine and require. All meetings of the Commission shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public, in accordance with G.S. Section 160A-361 et seq. The Commission shall keep a record of its meetings, including attendance of its members, its resolutions, findings, recommendations and actions.

- A. **Attendance at meetings.** The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Town Council.
- B. **Quorum and voting.** A simple quorum shall be declared present if the commission desires to take any official action. The concurring vote of a simple majority of those members' present shall be necessary to take any official action.

- C. The Appearance Commission shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Appearance Commission shall update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at minimum).

(Ord. of 2-14-17(2))

Secs. 17-1633—17-1639. - Reserved.

**BY-LAWS GOVERNING
SELMA BOARD OF ADJUSTMENTS**

Sec. 17-1620. – Board of Adjustment.

The powers and duties of the Board of Adjustment shall be exercised by the Planning Board. When the Planning Board Acts in its capacity as the Board of Adjustment, it shall be bound by and shall follow the requirements of this part.

(Ord. of 2-2-14-17(2))

Sec. 17-1621. – Composition

- A. The Board of Adjustment shall consist of the seven members and two alternate members of the Planning Board.
- B. Tenure. Members of the Board of Adjustments shall be appointed to serve terms of three years, and until their respective successors have been appointed and qualified. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled for the unexpired term only. Applications will be reviewed by the Board and then a recommendation shall be provided to the Town Council for the final appointment decision.
- C. The Board of Adjustment shall elect one member to serve as Chairman of the board and preside over its meetings. The term of the Chairman and other offices shall be for one year, with eligibility for reelection to a second term. The Chairman or any member temporarily acting as Chairman is authorized to subpoena witnesses and to administer oaths to any witnesses in any matter coming before the board. Town Employees are not authorized to serve as the Chairman of this Board.
- D. The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Town Council. No member may serve more than three consecutive terms or a total of nine (9) years on the Board, however, the Town Council may authorize an additional term if a vacancy needs to be filled. A former member may serve for another three terms or a total of 9 years after a two-year consecutive waiting period. During the waiting period, the citizen may serve on another board, commission, committee, or authority.

(Ord. of 2-2-14-17(2))

Sec. 17-1622. – Powers and Duties

When sitting as the Board of Adjustment, the Board shall have the following powers and duties:

- A. **Administrative review.** To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination,

or refusal made by the administrative officer in the carrying out or enforcement of any provision of this chapter. The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the premises. To this end, the Board shall have all the powers of the officer from whom the appeal is taken. An appeal to the Board of Adjustment shall be conducted in accordance with the provisions of Article XIV, Part 1, Section 17-1400.

- B. **Variances.** To authorize upon appeal in specific cases such variances from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. Requests for variances shall be processed and considered in accordance with the provisions of Article XIV, Part 1, Section 17-1401, "Variances."
- C. **Interpretations.** The Board of Adjustments is authorized to interpret the zoning map and to pass upon disputed questions of lot lines or district boundary lines and similar questions in accordance with Article XIV, Part 1, Section 17-1404, "Interpretations."
- D. **Special Exceptions.** The Board of Adjustment is authorized upon appeal in the specific cases special exceptions from the terms of this chapter as will not be contrary to the public interest in accordance with Article XIV, Part 1, Section 17-1403, "Special Exceptions."
- E. **Voting.** The concurring vote of four fifths of the members of the Board shall be necessary to grant a variance from the provisions of this chapter. The majority vote of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of this chapter, or to decide in favor of the applicant any matter upon which it is required to pass under any ordinance. For the purpose of this subsection, vacant positions on the Board of Adjustment and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite supermajority. A failure to vote by a member who is physically present at the Board meeting and who has not been recused or excused from the voting shall be recorded as an affirmative vote.
- F. **Conflicts of interest.** A member of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. If an objection is raised to a member's participation and that member does not recuse him or herself, the remaining members shall by majority vote rule on the objection. Impermissible violations of due process include, but are not limited to:
 - a. When the member has a direct financial interest in the outcome of the matter at issue; or
 - b. When the matter at issue involves the member's own official conduct; or
 - c. When participation in the matter might violate the letter or spirit of a member's code of professional responsibility, or

- d. When a member such close familial, business or other ties to the applicant that the member cannot reasonably be expected to exercise sound judgement in the public interest, or
 - e. When a member has a fixed opinion prior to hearing the matter that is not susceptible to change, or
 - f. When a member has undisclosed ex parte communications. ("Ex parte communications" means a communication with only one party or side in a disputed case.)
- G. **Oaths.** The Chairman or any member temporarily acting as Chairman is authorized in his or her official capacity to administer oaths to witnesses in any matter coming before the Board.
- H. **Subpoenaing witnesses.**
- a. The Chair may subpoena witnesses: The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoena made by the chair may be appealed to the full Board of Adjustment. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its order be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties. (See Section 17-1400 Appeals)
 - b. Other parties may request a subpoena: To request issuance of a subpoena, persons with standing under Section 17-1400 "Appeals" (F) "Other Persons with Standing to Appeal", may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled.
- I. **Meeting Notice.** Notice of Meetings are required stating the time and place of the meeting and shall be delivered not less than two nor more than ten days before the date thereof, either personally or by mail, at the direction of the Chairman to each Board member. In the case of a special meeting, the notice of meeting shall specifically state the purposes for which the meeting is called. The "N.C. Open Meetings Law" G.S.143-318.10 applies to this Board.

(Ord. of 2-1-17(2))

Secs. 17-1623--- 17-1629. - Reserved.

**BY-LAWS GOVERNING
SELMA HISTORIC PROPERTIES COMMISSION**

Sec. 17-1640. - The Historic Properties Commission.

There is hereby established a Selma Historic Properties Commission (the "Commission") under the authority of G.S. Ch. 160A, Art. 19, Pt. 3C.

(Ord. of 2-14-17(2))

Sec. 17-1641. - Composition.

- A. The Commission shall consist of nine (9) members appointed by the Town Council. The Commission shall elect one member to serve as Chairman of the board and preside over its meetings. The Chairman shall set, approve, and make changes to the agenda, and shall also create and fill such offices and committees as it may deem necessary. The term of the Chairman and other offices shall be for one year, with eligibility for reelection to a second term. The Chairman or any member temporarily acting as Chairman is authorized to subpoena witnesses and to administer oaths to any witnesses in any matter coming before the board. Town Employees are not authorized to serve as the Chairman of this Board. All members shall reside within the corporate limits or extraterritorial jurisdiction of the Town of Selma, or own a business within the Historic District. A majority of the members of the Commission shall have demonstrated special interest, experience or education in history, architecture, archaeology or related fields. The Town Council shall use its best efforts to appoint qualified members to the commission. However, if it is not able to get qualified members to serve who reside in the Historic District, it may appoint others who reside within the corporate limits or extraterritorial jurisdiction of the Town of Selma. The Commission may appoint advisory bodies and committees as appropriate. Applications for the Historic Properties Commission will be reviewed by the Commission and then a recommendation shall be provided to the Town Council for the final appointment decision.
- B. Members of the Commission shall serve terms of three (3) years. Terms shall be staggered. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. No member may serve more than three (3) consecutive terms or a total of nine (9) years on the Commission, however, Council may authorize an additional term if a vacancy needs to be filled. A former member may serve for another three (3) terms or a total of nine (9) years after a two (2) year consecutive waiting period. During the waiting period, the citizen may serve on another board, commission, committee or authority.
- C. The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Historic Properties Commission.

(Ord. of 2-14-17(2))

Sec. 17-1642. - Powers and duties.

The powers of the Historic Properties Commission are as follows:

- A. Undertake an inventory of properties of historical, prehistorical, architectural and/or cultural significance;
- B. Recommend to the Town Council areas to be designated by ordinance as "historic districts" and individual structures, buildings, sites, areas or objects to be designated by ordinance as "Landmarks";
- C. Recommend to the Town Council that designation of any area as a historic district, or part thereof, or designation of any building, structure, site, area or object as a landmark, be revoked or removed for cause;
- D. Review and act upon proposal for alterations, demolition or new construction within historic districts, or for the alteration or demolition of designated landmarks;
- E. Conduct an educational program with respect to historic districts and landmarks within its jurisdiction;
- F. Cooperate with the state, federal and local government in pursuance of the purposes of this ordinance, to offer or request assistance, aid, guidance or advice concerning matters under its purview or of mutual interest. The Town Council, or the Commission when authorized by the Town Council, may contract with the State or the United States, or any agency of either, or with any other organization provided the terms are not inconsistent with state or federal law;
- G. Enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the Commission may enter any private building or structure without express consent of the owner or occupant thereof;
- H. Prepare and recommend the official adoption of a preservation element as part of the Town of Selma's comprehensive plan(s);
- I. Make recommendations to the Town Council that the Town acquire by any lawful means fee simple or any lesser interest, including options to purchase properties within established districts or any such properties designated as landmarks, to hold, manage, preserve, restore and improve the same, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property;

- J. With the permission of the Town Council, restore, preserve and operate historic properties; and
- K. With the permission of the Town Council, negotiate at any time with the owner of a building, structure, site, area or object for its acquisition or its preservation when such action is reasonably necessary or appropriate.
- L. Visit the Historic District on a regular basis to understand needs within the district.
- M. Members of the Commission shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed.

(Ord. of 2-14-17(2))

Sec. 17-1643. - Rules of procedure.

Prior to any official action, the Commission shall adopt rules of procedure and bylaws governing its meetings and the conduct of official business and bylaws governing the appointment of members, terms of office, the election of officers and related matters. A public record shall be kept of the Commission's resolutions, proceedings and actions. The Commission shall also prepare, adopt and amend as needed principles and guidelines for altering, restoring, moving or demolishing properties designated as landmarks or within historic districts. Said guidelines are not considered a part of the Unified Development Ordinance, and as such, do not require Planning Board review or the Town Council's approval before being adopted or amended.

(Ord. of 2-14-17(2))

Sec. 17-1644. - Meetings, notice.

- A. All meetings or hearings of the commission shall be open to the public, in accordance with the North Carolina open meetings law, G.S. Ch. 143, Art. 33C (§ 143-318.9 et seq.), and reasonable notice of the time and place thereof shall be given to the public.
- B. The Historic Properties Commission shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Historic Properties Commission shall update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at minimum).

(Ord. of 2-14-17(2))

BY-LAWS GOVERNING SELMA LIBRARY BOARD

Article 1 – Purpose

The Library Board shall serve as an advisory board for the Library and the Town of Selma. The Board shall serve as a liaison between the Library, Town Manager, Town Council, and citizens of the community. Members of the Library Board shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed. The Board shall consult with and advise the Library, Town Manager, and Town Council in matters affecting library policies, programs, and related issues. Board members shall not be exempt from adhering to the rules and regulations of the Library and should not expect special privileges.

Article II – Powers and Duties

- A. Make recommendations to the Town Manager concerning the construction and improvement of buildings and other structures for the library system.
- B. Make recommendation to the Town Manager for the care of the library system's facilities.
- C. Help establish policies to protect and regulate the use of library materials.
- D. Advise the Town Manager on library matters generally.
- E. Visit the Library on a regular basis.
- F. Establish plans for future growth.

Article III – Meetings

- A. The Library Board should hold at least one quarterly meeting, if deemed necessary, and all of its meetings shall be open to the public.
- B. The Library Board shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Library Board shall update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at minimum).
- C. Special meetings may be called by the librarian by giving each member forty-eight hours' notice.
- D. A quorum shall consist of a simple majority of the total membership of the Library Board. A quorum of the Library Board shall be in attendance before action of an official nature can be taken.
- E. The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other

similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Library Board.

Article IV – Officers and Members

- A. The Librarian shall be responsible for the management of the Library operation. The Librarian shall present at meetings any recommendation to improve library service.
- B. The officers of the Board shall be a Chairman and Secretary elected from the members. The office of the Secretary may be held by the Librarian if the Board so wishes.
- C. The Chairman shall preside at the Board meetings and appoint the necessary committees to carry out the action of the board. The Chairman shall also set, approve, and make changes to the agenda.
- D. The Secretary shall keep a record of attendance at meetings, record official action of the board, and keep minutes of the meetings.
- E. The numbers of members shall be six members as appointed by Town Council. No more than two members will be from the ETJ (extraterritorial jurisdiction).
- F. The members shall serve a term of two years and appointments of terms are to be staggered so that all will not be newly appointed.
- G. Applications will be reviewed by the Board and then a recommendation shall be provided to the Town Council for the final appointment decision.

ADOPTED THIS THE 19th Day of April, 2021.

**BY-LAWS GOVERNING
SELMA PLANNING BOARD**

Sec. 17-1610. - Appointment and terms of Planning Board members.

- A. There shall be a Planning Board (the "Board") consisting of seven (7) members, and two (2) alternate members may also be appointed to the Board. Four (4) full members appointed by the Town Council shall reside within the town. Three members appointed by the Johnston County Board of Commissioners, shall reside in the town's extraterritorial jurisdiction. Two (2) alternates may be appointed by the Town Council. If either of the alternate positions is to be filled by a resident in the extraterritorial jurisdiction, the Johnston County Board of Commissioners must also approve the appointment. If, despite good faith efforts, enough residents of the extraterritorial jurisdiction cannot be found to fill the seats reserved for residents of that area, then the Johnston County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Johnston County Board of Commissioners fails to make these appointments within ninety (90) days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them.

- B. Applications for the Planning Board will be reviewed by the Board and then a recommendation shall be provided to the Town Council for the final appointment decision. Board members shall be appointed for three-year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies shall be filled for the unexpired terms only.

- C. The alternates may sit in lieu of either in-town or out-of-town members. All members (including alternate members when sitting in lieu of a regular member) may participate in and vote on all issues before the Board regardless of whether the issue affects property within the Town or within the extraterritorial jurisdiction.

- D. The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Planning Board. No member may serve more than three (3) consecutive terms or a total of nine (9) years on the Planning Board, however, the Town Council may authorize an additional term if a vacancy needs to be filled. A former member may serve for another three (3) terms or a total of nine (9) years after a two (2) year consecutive waiting period. During the waiting period, the citizen may serve on another board, commission, committee, or authority.

(Ord. of 2-14-17(2))

Sec. 17-1611. - Meetings of the Planning Board.

- A. The Planning Board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with Section 17-1405, "Applications to be Processed Expeditiously."

- B. The Planning Board shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Planning Board shall update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at minimum).
- C. When the Board acts solely in its advisory capacity (for example, when it considers rezoning applications), it need not conduct its meetings (or portions of meetings) strictly in accordance with the quasi-judicial procedures set forth in Articles XIV and VI, Part 1 of this chapter. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.
- D. When the Planning Board considers recommendations on special use permits, it acts in a legislative capacity and, accordingly, is not required to observe the procedural requirements set forth in Articles VI and XIV of this chapter. When the Planning Board presents recommendations to the Town Council on quasi-judicial matters, such as special use permits, the presenters shall present sworn testimony and observe all of the requirements of a quasi-judicial proceeding.
- E. Minutes shall be kept of all Board proceedings.
- F. All Board meetings shall be open to the public, and the agenda for each Board meeting shall be made available in advance of the meeting.
- G. Whenever the Board is called upon to make recommendations concerning a conditional zoning request, notice shall be given in accordance with Section 17-1703. Whenever the Board is called upon to consider a special use permit request, notice shall be given in accordance with Section 17-1451.
- H. **Meeting Notice.** Notice of Meetings are required stating the time and place of the meeting and shall be delivered not less than two nor more than ten days before the date thereof, either personally or by mail, at the direction of the Chairman to each Board member. In the case of a special meeting, the notice of meeting shall specifically state the purposes for which the meeting is called. The "N.C. Open Meetings Law" G.S.143-318.10 applies to this Board.

Sec. 17-1612. - Quorum and voting.

- A. A quorum for the Planning Board shall consist of a majority of the board membership, excluding vacant seats. A quorum is necessary for the board to take official action.
- B. All actions of the Planning Board shall be taken by majority vote, a quorum being present.
- C. A roll call vote shall be taken upon the request of any member.
- D. Extraterritorial planning area members may vote on all matters considered by the board, regardless of whether the property affected lies within or without the Town.

Sec. 17-1613. - Planning Board officers.

- A. No later than its first meeting in August of each year, the Planning Board shall, by majority vote of its membership (excluding vacant seats), elect one of its members to serve as Chairman and preside over the board's meetings and one member to serve as Vice-Chairman. The people so designated shall serve in these capacities for a term of one year unless their terms of appointment to the board expire sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership (excluding vacant seats).

- B. Chairman and Vice-Chairman shall take part in all deliberations and vote on all issues. The Chairman shall also set, approve, and make changes to the agenda. Town Employees are not authorized to serve as the Chairman of this Board.

Sec. 17-1614. - Powers and duties of Planning Board.

- A. The Planning Board may:
 - a) Studies. The Planning Board may make careful studies of present conditions and probable future development of the town and its environs. Such studies may include but are not limited to land use surveys; population studies; economics base studies; schools, park and recreation studies; traffic and parking studies; pedestrian studies and master planning; and urban renewal studies;

 - b) Plans. At the direction of the Town Council, the Board may formulate and maintain a comprehensive plan of the town and its environs for the purpose of achieving a coordinated, adjusted and harmonious development of the municipality which would promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity and general welfare of its citizens; efficiency and economy in the process of development; convenience of traffic; safe and connected pedestrian access; safety from fire and other dangers; adequate light and air; healthful and convenient distribution of population; provision of adequate open spaces; good civic design and arrangement; wise and efficient expenditure of public funds; adequate provision for public utilities; and for other matters pertaining to the public requirements. The comprehensive plan shall consist of a number of parts which may include but are not limited to the following: a land use plan, a major thoroughfare plan, a utilities plan, a plan for economic development, a recreation plan, a school plan, and a community facilities plan;

 - c) Develop and recommend to the Town Council policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;

 - d) Make recommendations to the Town Council concerning proposed conditional use rezoning, text amendments and proposed zoning map changes, as provided by Sections 17-610, " Special Use Permit", and 17-1702, "Planning Board Consideration of Proposed Amendments";

- e) Powers of Review. The Board shall review and make recommendations to the Town Council upon the extent, location and design of all public structures and facilities; on the acquisition and disposal of public properties; on the opening, abandonment, widening, extension, narrowing or other change to streets and other public ways; on the construction, extension, expansion or abandonment of utilities whether publicly or privately owned. However, in the absence of a recommendation from the Board after the expiration of thirty (30) days from the date on which the question has been submitted in writing to the Board, the Town Council may, if it deems wise, take final action;
 - f) Members of the Planning Board shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed;
 - g) Perform any other duties assigned by the Town Council.
- B. The Planning Board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

Sec. 17-1615. - Advisory committees.

- A. From time to time, the Town Council may appoint one or more individuals to help the Planning Board carry out its planning responsibilities with respect to a particular subject area. By way of illustration, and without limitation, the Town Council may appoint advisory committees to consider a thoroughfare plan, pedestrian master plans, bikeway plans, housing plans, economic development plans, etc.
- B. Members of such advisory committees shall sit as nonvoting members of the Planning Board when such issues are being considered and lend their talents, energies, and expertise to the Planning Board. All formal recommendations to the Town Council, however, shall be made by the Planning Board.
- C. Nothing in this section shall prevent the Town Council from establishing independent advisory groups, committees, or commissions to make recommendations on any issue(s) directly to the Town Council.
- D. If an advisory committee provides direct advice to the Town Council (i.e. it does not report to the Planning Board), a member of that board shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable impact on the member.

Secs. 17-1616—17-1619. - Reserved.

**BY-LAWS GOVERNING
SELMA RECREATION ADVISORY BOARD**

Article 1:

- A. Regular meetings of the Recreation Advisory Board shall be held at 6:30pm on the third Monday of each month and shall be held in the Selma District Courtroom or at some other designated location.
- B. Special meetings may be called by the Chairman or upon written request from a majority of the body.
- C. A majority of the members may constitute a quorum.
- D. The order of business at regular meetings shall be as follows:
 - a. Reading of minutes of previous meetings
 - b. Communications/Public Input
 - c. Report of Director and Chairman
 - d. Special Reports
 - e. Unfinished Business
 - f. New Business
 - g. Adjournment
- E. The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Recreation Advisory Board.

Article 2:

- A. The election of officers for the ensuing year, a Chairman and Vice Chairman and Secretary, shall take place at the regular meeting in June of each year. A nominating committee of three members shall be appointed by the Chairman at the May meeting (or before) to bring into the June meeting nominees for these offices.
- B. The new officers shall take office at the regular July meeting each year.

Article 3:

- A. It shall be the duty of the Chairman to preside at all meetings and to sign official papers. The Chairman shall also set, approve, and make changes to the agenda.
- B. The Vice-Chairman shall perform duties of the Chairman in the absence of the latter.
- C. The Secretary shall keep the official records of the Committee and keep accurate minutes of each meeting.

Article 4:

A. **Purpose.** The Recreation Advisory Committee shall serve as the advisory body for the Department of Recreation and the Town of Selma. The Committee shall suggest policies to the Department, the Manager, and the Governing Body, within its powers and responsibilities as stated in the By-Laws. The Committee shall serve as a liaison between the Department, the Manager, and the Governing Body of the unit and citizens of the community. The Committee shall consult with and advise the Department, the Manager, and the Governing Body in matters affecting recreation policies, program, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program and its long-range, projected program for recreation. The Director shall be the agent of the Recreation Department and to that end shall supervise the operation of all the recreation department's activities. The Director shall submit a detailed report of the activities and administration of the program of the Recreation Department to each regular meeting for the month prior to the meeting. A copy of this report shall be sent to each member.

B. **Powers and Duties.** The Recreation Committee shall assume duties for recreation purposes as follows:

- a. Make recommendations for the establishment of a system of supervised recreation for the unit.
- b. Make recommendations to set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas approval by the units authorized body, and may suggest improvements of such lands and for the construction and for the equipping and staffing of such buildings and structures as may be necessary to the recreation program within those funds allocated to the Department.
- c. Advise in the acquisition of lands and structures through gifts, purchase, lease or loan, or by condemnation through eminent domain, and as approved by the Governing Body of the Unit.
- d. Advise if the acceptance by the unit of any grants, gifts, bequest or donation, any personal or real property offered or make available for recreation purposes and which is judged to be of present or possible future use for recreation. Any gift, bequest of money or other property, any grant, devise of real or personal property so acquired shall be held, by the unit; used and finally disposed of in accordance with the terms under which such grant, gift or devise is made and accepted.
- e. Advise in the construction, equipping, operation, and maintenance of parks, playgrounds, recreation centers and all buildings and structures necessary or useful to Department function, and will advise in regard to other recreation facilities which are owned or controlled by the unit or leased or loaned unit
- f. Visit each recreation area on a regular basis and critique areas as needed.

- g. Members of the Recreation Advisory Board shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed.
- h. The Recreation Advisory Board shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Recreation Advisory Board shall update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at minimum).

Article 5:

- A. The Chairman at the regular July meeting of each year shall appoint standing committees. The Chairman at any regular meeting shall fill vacancies on the standing committees. Applications will be reviewed by the Board and then a recommendation shall be provided to the Town Council for the final appointment decision.
- B. Standing Committees are as follows:
 - a. Finance – 3 members
It shall be the responsibility of the Finance Committee to assist the Director, the Chairman of the Recreation Advisory Board in explaining and justifying the final drafts of the recommended budget to the Recreation Advisory Board, Town Council and to the public in order that the desired program will be implemented by adequate funds. The Finance Committee may assist in securing donations/funds that will be used for park improvements.
 - b. Facilities – 3 members
This committee will study the need, use, demand, and availability of areas and facilities (including water areas) and make recommendation on acquisition, development, use and operation of all arrears and facilities owned, used, leased or proposed to be acquired by the recreation department.
 - c. Nominating/Special Events – 3 members
Present slate of officers to be acted upon at the regular meeting in July.

Article 6:

The Director shall submit preliminary annual reports, of the program and of finances at the regular meeting in July of each year. The final Annual Report will be rendered no later than the September meeting.

Article 7:

Special committees may be appointed for such purposes as deemed necessary.

Article 8:

The Chairman and Director shall be ex-officio members of all committees and, as such, notified of all special committee meetings.

Article 9:

All amendments to these rules must be proposed in writing in one meeting and acted upon at the next regular meeting.

Article 10:

Recreation Advisory Committee will consist of nine members and may be selected from the following areas:

- a. Selma City Limits
- b. Selma ETJ (not to exceed more than two)

ADOPTED THIS 1st DAY OF April, 2021, by the Selma Town Council

**BY-LAWS OF
SELMA TOURISM COMMITTEE**

Article I – Names and Offices

- A. **Name.** The name of this committee is the Selma Tourism Committee

- B. **Offices.** The principal office of the Committee shall be in the County of Johnston, Town of Selma.

Article II – Committee Members

- A. **Composition.** The Committee shall consist of not less than ten members. Each member shall be appointed by the Selma Town Council. The following positions or representatives of the following interest shall comprise the Tourism Committee:
 - a. Selma Town Manager (or designee)
 - b. Johnston County Tourism Authority Executive Director (or designee)
 - c. Selma Development Partnership Chairman (or designee)
 - d. One representative of Selma motels/hotels
 - e. One representative of the Rudy Theatre
 - f. Two representatives of Selma antiques businesses
 - g. One representative of business at/near I-95 Exit 97 interchange

- B. **Term of Office.** The ten members of the Committee designated above shall serve for three-year terms except those members appointed to the initial Committee, who shall serve terms as hereinafter set out in order to establish a system of staggered terms. One member shall serve a one-year term; three shall serve a two-year term; and four shall serve a three-year term. The Town Manager and the Executive Director of the Johnston County Tourism Authority (or their designees) shall be appointed as permanent voting member. As the terms of the initial members of the Committee shall expire, their successors shall be appointed for three-year terms. Each member of the Committee shall serve until his successor is duly appointed as above provided. Terms shall be effective November 1st of each year.

- C. **Resignation.** Any appointed member may resign at any time by giving written notice of such resignation to the Town Council.

- D. **Vacancies.** Any vacancy in the Committee occurring during the year, may be filled for the unexpired portion of the term by the appointment of the Town Council. Any Committee member so appointed shall serve the unexpired term of a Committee member he/she is replacing. Applications will be reviewed by the Committee and then a recommendation shall be provided to the Town Council for the final appointment decision.

- E. **Regular Meetings.** The regular meeting of the Committee shall be held at the Town Hall or designated location on the 2nd Thursday of each month for the purpose of any business. The Tourism Committee shall establish a meeting with the Town Council in January or February of each year to discuss goals, objectives, and projects planned for the following fiscal year. In addition, the Tourism Committee shall

- update the Town Council on current and future projects by presenting written reports throughout the year on a quarterly basis (at a minimum).
- F. **Special Meetings.** Special meetings of the Committee may be called by the Chairman.
 - G. **Notice of Meetings.** Written or printed notice stating the time and place of the meeting shall be delivered not less than two nor more than ten days before the date thereof, either personally or by mail, at the direction of the Chairman to each Committee member. In the case of a special meeting, the notice of meeting shall specifically state the purposes for which the meeting is called. The "N.C. Open Meetings Law" G.S.143-318.10 applies to this Committee.
 - H. **Chairman.** At all meetings of the Committee the Chairman, or Vice Chairman, or in their absence a Chairman chosen by the Committee members present, shall preside.
 - I. **Quorum.** At any meeting of the Committee the presence of 50% + 1 of the Committee members in person shall be necessary to constitute a quorum for all purposes except as otherwise provided by law, and the act of a majority of the Committee members present at any meeting at which there is a quorum shall be the act of the full Committee. At any meeting at which a quorum shall be present any business may be transacted which might have been transacted at the meeting as originally notified.
 - J. **Compensation.** Committee members shall not receive any stated salary for their services as such, but by approval of the Town Manager, actual expenses of service may be reimbursed.
 - K. **Removal of Committee Members or Officers.** Any Committee member or officer may be removed from office by the affirmation vote of a majority of the Town Council, at any regular or special meeting called for that purpose, for conduct detrimental to the interests of the Committee to include poor attendance.
 - L. **Attendance.** The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar causes, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Tourism Committee.
 - M. **Powers.** Members of the Tourism Committee shall initiate business discussions that address needs of the Town; however, the Town Council shall provide recommendations as needed. The Selma Tourism Committee is an advisory body to the Johnston County Visitors Bureau, which is legislated to expend 2% occupancy tax funds on behalf of the Town of Selma. The Committee shall:
 - a) Establish an annual budget utilizing destination marketing strategy to attract a wide range of visitors to the Town of Selma;

- b) Make recommendations to the Johnston County Visitors Bureau on marketing materials, advertising programs, interstate billboard campaigns, and other marketing efforts related to the Town of Selma;
- c) Advise the Johnston County Visitors Bureau and Selma Town Council on other marketing-related issues as needed.

Article III – Officers

- A. **Number.** The officers of the Committee shall consist of a Chairman and a Vice Chairman
- B. **Election, Term of Office, and Qualifications.** The Officers shall be elected annually at the first meeting of each calendar year by the members of the Committee from among their numbers.
- C. **Vacancies.** In case any office of the Committee becomes vacant by death, resignation, retirement, disqualification, or any other cause, the majority of the Committee then in office, may elect an officer to fill such vacancy, and the officer so elected shall hold office and serve until the next annual election of officers and until the election and qualification of his successor.
- D. **Chairman.** The Chairman shall preside at all meetings of the Committee. He/she shall have and exercise general charge and supervision of the affairs of the Committee and shall do and perform such other duties as may be assigned to him by the Committee. The Chairman shall set, approve, and make changes to the agenda.
- E. **Vice Chairman.** The Vice Chairman shall in the absence or disability of the Chairman, perform the duties and exercise the powers of that office.
- F. **Removal.** Any officer may be removed from office by affirmative vote of two-thirds of all the Committee members at any regular or special meeting called from that purpose, for nonfeasance, malfeasance, or misfeasance, or conduct detrimental to the interest of the Committee, or for refusal to render reasonable assistance in carrying out its purpose. Any officer proposed to be removed shall be entitled to at least 5 days' notice in writing by mail of the meeting of the Committee at which such removal is to be voted upon and shall be entitled to appear before and be heard by the Committee at such meeting.

Article IV – Fiscal Year

The fiscal year of the Committee shall begin July 1st.

Article V – Budget

The Committee will operate under such budget, if any, as may from time to time be established by the annual budget ordinance of the Town of Selma, but an expenditure therefrom shall be made only upon approval of the Town Manager and in accordance with ordinance and statutory requirements.

ADOPTED THIS 1st DAY OF April, 2021, by the Selma Town Council