MECKLENBURG COUNTY BOARD OF COMMISSIONERS
APPOINTMENT POLICY

Purpose: Citizen involvement is a key element to open government. It provides an opportunity for public input in the decision making process. The appointment policy governs the process for making appointments to boards established by the Mecklenburg County Board of Commissioners and those established by legislation or interlocal agreements requiring appointments by the Board of Commissioners. Appointments to boards established by legislation or interlocal agreements shall be done consistent with the legislation or interlocal agreements for those boards as hereby noted in the policy.

1. Eligibility for Appointment

A. Any person appointed to a board must be a resident of Mecklenburg County.

B. The general intent of the Board of Commissioners is to not appoint an individual to more than one board at the same time. The Board, however, reserves the right to do so under special circumstances.

C. A person appointed to one board who also applied for other boards shall automatically be removed as an applicant for the other boards.

D. To be appointed to a board an individual must either be nominated by a member of the Board of County Commissioners and receive the votes of at least a majority of the entire membership of the Board (five votes), or be appointed by a motion receiving the votes of at least a majority of the entire membership of the Board (five votes).

E. Mecklenburg County employees are prohibited from serving on any board where appointments are made by the Board of Commissioners or where funding is provided by Mecklenburg County, including special study committees appointed for the purpose of recommending funding or policy. This policy does not prohibit County employees from serving in an ex-officio and/or non-voting capacity on any board when required by law, or when such service is deemed by the Board of Commissioners to be in the best interests of the County.

2. Nomination Process

A. Nominations to boards shall appear, as appropriate, on the agenda for the second regular business meeting of each month; appointments will be made at the first regular business meeting of each month; however, the Board reserves the right to deviate from this schedule.

B. At the meeting when nominations are being made, a person who is eligible for re-appointment may be re-elected by unanimous vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes on the re-appointment.

C. Persons may be nominated and appointed at the same meeting if the number of nominees equals the number of vacancies and by a unanimous vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes on the re-appointment.

D. Persons nominated for the following boards will go through an interview process conducted by an ad hoc committee of the Board, in each instance, appointed by the Chairman of the Board of County Commissioners. Designated staff may serve as non-voting members. The ad hoc committee shall bring a recommendation(s) for appointment back to the full board for consideration. Those boards are: Alcoholic Beverage Control; Central Piedmont Community College Board of Trustees; Charlotte-Mecklenburg Planning Commission; Library Board of Trustees; Board of Equalization and Review; and Board of Motor Vehicle Review. Nominees for the Alcoholic Beverage Control Board must complete the "Mecklenburg County Alcoholic Beverage Control Board Nominee Questionnaire" and deliver the completed questionnaire to the Clerk to the Board at least two (2) days before their interview.

3. Voting Procedures

A. To be appointed to a board, an individual must receive the votes of at least a majority of the entire membership of the Board of County Commissioners (five votes).

B. When a member of the Board of County Commissioners is present at a meeting, he or she must vote at least once on the nominations before the Board for each board being considered. The maximum number of times that a member of the Board of County Commissioners may vote is the lesser of the number of vacancies or the number of nominees.

C. If any position remains unfilled after the first ballot vote, the voting should be repeated for that position as many times as necessary to obtain the votes of the majority of the membership for a nominee to fill the position. When repeated voting for a position is necessary, only the names of nominees having received votes are kept on the ballot.

4. Membership Terms

A. Except in extraordinary circumstances or where otherwise restricted by legislative authority creating or authorizing the creation of a board, it shall be the policy of the Board that terms of membership shall be staggered and that members serve not more than two full consecutive terms. Therefore, any person appointed to an unexpired term would be eligible to serve two full consecutive terms after completing the unexpired term. The preferred length of terms is three years; however, it may be more or less. A person having served two full consecutive terms must wait at least a year before being eligible to serve again on any board.

B. Effort should be made when creating new boards and with present boards to consolidate expiration of terms for members to expire at one time during each quarter of each year.

5. Attendance Requirement

A. Any member who fails during any calendar year to attend 65% of all regularly scheduled committee meetings from the time one's term begins until the end of that calendar year and each subsequent calendar year thereafter, shall be automatically removed from said board. There are no excused absences.

B. Members must be present for 50% of a meeting in order to be counted present at that meeting.

C. Members cannot miss three consecutive regularly scheduled committee meetings.

D. The chairman or his/or designee of each board shall submit to the Clerk to the Board an annual attendance report by January 31st listing any member who at the end of the previous calendar year failed to meet the attendance requirement stated above. Persons not meeting the attendance requirement are removed automatically upon receipt of the annual report by the Clerk to the Board. Vacancies resulting from members' failure to attend the required number of meetings shall be filled as provided herein.

Exceptions:

1) Persons appointed to boards where appointments are made by both the Board of County Commissioners and Charlotte City Council and administered by the City of Charlotte shall comply with the attendance requirement as prescribed by the Charlotte City Council. Those boards are: Charlotte-Mecklenburg Planning Commission, Charlotte-Mecklenburg Coalition for Housing, and Bicycle Committee.

2) Persons appointed to boards established by legislative authority shall comply with the attendance requirement as prescribed by the applicable legislation. Those boards are, but may not be limited to: Adult Care Home Community Advisory Committee, Nursing Home Community Advisory Committee, Alcoholic Beverage Control Board, Central Piedmont Community College Board of Trustees, and Library Board of Trustees.

6. Removal Of Members From Boards

A. The Board of Commissioners reserves the right, at any time and for any reason, to remove any member of any board when a motion for removal receives the votes of at least a majority of the entire membership of the Board.

Exceptions:

Removal of persons appointed to boards established by legislation and/or interlocal agreements shall be done so in accordance to the legislation and/or interlocal agreement governing that board. Those boards include, but may not be limited to: Charlotte-Mecklenburg Planning Commission, Alcoholic Beverage Control Board, Central Piedmont Community College, and Library Board of Trustees.

Charlotte-Mecklenburg Planning Commission – Interlocal Cooperation Agreement, Section 3.33.3
Alcoholic Beverage Control Board – N.C.G.S. 18B-704
Central Piedmont Community College Board of Trustees – N.C.G.S. 115D-19
Library Board of Trustees - Chapter 70 of the 2007 North Carolina Session Laws

The Board reserves the right to deviate from any portion of this policy not required to be followed by legislation or interlocal agreements.

7. Committee Reporting

A. All Committees must report at least annually to the Board of Commissioners on their activities. Reports can be submitted to the Clerk to the Board for distribution to the Board in writing, or for formal presentation at a regular Board Meeting. The committee's assigned liaison shall work with the Clerk to the Board on establishing the annual reporting schedule.

8. Committee Bylaws

A. All changes to Committee Bylaws, excluding boards established by legislative authority, must be brought to the Board of Commissioners as a Consent Item for approval. Boards established by legislative authority shall comply with the requirement for change as prescribed by the applicable legislation.

9. Committee Funding

A. No Committees can independently raise or solicit funds. If any Advisory Board has a legitimate need, they must go through their aligned Department to request funding. The business reason must align with Department priorities, and will come from the aligned Department's budget.

10. Administrative Procedures

A. The agenda item for appointments to boards will be prepared by the Clerk to the Board and provided to the Board as part of the Board's agenda package. The agenda item will include the name of the board, its purpose, membership criteria, number of vacancies, applicant information, and current membership information.

B. The Clerk to the Board will prepare and post on-line an annual schedule of upcoming board appointments and revisions as they occur.

C. The Clerk to the Board will maintain all appointment records pertaining to boards.

D. Applications submitted for appointment consideration to any board will remain on file for one year from the date of its receipt by the Clerk to the Board.

E. Applicants must complete an original application for each board of their interest.

F. Appointments and reappointments of board members will be coordinated by the Clerk to the Board having direct contact with the board chairperson and/or staff liaison.

G. The Clerk to the Board shall notify the board chairperson and the staff liaison of upcoming vacancies.

H. The board chairperson and/or the staff liaison shall notify the Clerk to the Board of any discrepancies in the upcoming vacancy report received. They shall also notify the Clerk to the Board in writing of any resignations.

I. The Clerk to the Board shall provide copies of applications to board chairpersons and/or staff liaisons upon request. After the chairperson and/or staff liaison have reviewed the applications, he or she will notify the Clerk to the Board, in writing (to include e-mail), of any recommendation for appointment, if they so desire.

J. Applications received after the appointment package has been prepared for distribution to the Board of Commissioners will not be considered in that month's appointments process, but will be filed and submitted to the Board at the next appropriate time.

K. The Clerk to the Board shall advertise, at a minimum, in a newspaper of general circulation, all upcoming appointments.

L. Minutes of board meetings will be maintained by the County Agency Director with an assigned staff liaison to said board. Said minutes are to be kept in perpetuity. Minutes of Boards established by legislation and/or interlocal agreements shall be maintained in accordance with the legislation or interlocal agreement governing that board.

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