LEE COUNTY AGRICULTURAL ADVISORY BOARD
Operating Procedures and Bylaws
Lee County, North Carolina

I. Purpose:

a. The Agricultural Advisory Board will implement the provisions of the Lee County Voluntary Agriculture District Ordinance adopted September 15, 2008.

b. The Agricultural Advisory Board shall be governed by the terms of Chapter 106 - Article 61, Preservation of Farmland, of the General Statutes of North Carolina and by the terms set forth in the Lee County Voluntary Agricultural District Ordinance.

II. Membership:

a. The Advisory Board shall consist of no less than seven (7) members appointed by the Board of Commissioners.

b. Each Advisory Board member shall be a Lee County resident or landowner.

c. A majority of the members shall be actively engaged in farming, horticulture and/or forestry. Of the members actively engaged in farming, horticulture and/or forestry there shall be at least one such member from each agricultural district in Lee County.

d. The recommendations to the County Commissioners for membership can come from the Soil and Water Conservation District Board of Supervisors, North Carolina Cooperative Extension - Lee County, the U.S. Farm Service Agency County Committee, nonprofit agricultural organizations, conservation organizations, agribusiness, horticultural businesses, forestry businesses, and the public at large.

e. Ex Officio Members: Additional members may be appointed to the Board in an ex officio capacity from the Soil and Water Conservation District, North Carolina Cooperative Extension, the U.S. Farm Service Agency, or other agencies, as deemed necessary by the Board of Commissioners. Members serving in an ex officio capacity shall neither vote nor count toward quorum requirements.

f. Tenure: The initial board is to consist of 2 appointees for terms of one year, 2 appointees for terms of two years, and 3 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointment permitted for an additional three-year term.

g. Vacancy: Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

h. Removal: The Board of Commissioners upon a two-thirds vote of the Commissioners may remove any member of the Advisory Board. No cause for removal shall be required.

III. Officers and Duties:

a. Chairman: A chairman shall be elected by majority vote of the membership of the Agricultural Advisory Board each year at its first meeting of the fiscal year. His/her term of office shall be one year, or until his successor is elected, and he/she shall be eligible for election at the end of that year. The chairman shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The chairman shall appoint any committees found necessary to investigate any matters to be considered by the Board.

b. Vice Chairman: A vice chairman shall be elected by the Board from among its regular members in the same manner and for the same term as the chairman. He/she shall serve

as acting chairman in the absence of the chairman, and at such times he/she shall have the same powers as the chairman.

c. Clerk: The clerk to the Lee County Agricultural Advisory Board shall be a staff member of North Carolina Cooperative Extension in Lee County. The clerk shall keep all records, shall compose all correspondence of the Board, shall arrange for all public notices required to be given, shall notify members of pending meetings and their agenda, and shall generally supervise the clerical work of the Board. The clerk shall keep in a permanent volume the minutes of every meeting of the Board. These shall show the record of all important facts pertaining to each meeting, every request acted upon by the Board, and all votes of members of the Board. The clerk shall not be eligible to vote upon any matter.

d. Technical Advisor: The Cooperative Extension Director and the Lee County District Soil and Water Conservationist shall serve as technical advisors for the Board along with any designated staff. Advisors shall be present at all meetings and shall furnish information pertinent to the issues being discussed by the Board. The technical advisors shall also participate in studies, reviews, and examinations of farmland preservation techniques and assist in the advisement of the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the County that will affect agricultural districts.

e. Committees: Board may approve the establishment of committees, as it deems necessary. The composition of committees shall be determined by the Board with the committees selecting their own chairman.

IV. Rules of Conduct for Members:

a. Members of the Board may be removed for cause, including violation of the rules stated below.

b. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership of the Board.

c. Any member who fails to attend at least 75% of the regular meetings, except for excused illness, or other extraordinary circumstance, of the Board during any one-year period shall be removed from the Board. The Chair or Vice Chair is empowered by the Lee County Commissioners to define extraordinary circumstance on a case-by-case basis and to excuse absences.

d. The Chairman shall notify the Commissioners of any member whose absences exceed 25% of the regular meetings. Members not meeting the 75% attendance requirement may be removed by the action of the Board of County Commissioners and replaced by another interested individual as needed from the township.

e. No Board member shall take part in the hearing, consideration or determination of any case in which he/she is personally or financially interested. When a member has an immediate family member or a financial interest, they shall make note of this and request that they be excused from consideration of an agenda item.

f. No Board member shall vote on any matter deciding an application unless he/she has attended the public meeting on that application. When a member has not attended the public meeting for an application they shall make note of that fact before the vote on the item and the Chairman shall excuse them from the vote.

V. Meetings:

a. The Advisory Board shall use the Lee County fiscal year (July –June) as its meeting year.

b. Regular Meetings: Regular meetings of the Board shall be held four times a year on the 3rd Wednesday of each month. The meetings shall begin at 4:00 pm unless notice is provided otherwise.
c. Special Meetings: The chairman may call special meetings of the Board at any time. At least forty-eight hours written notice of the time and place of special meetings shall be given, by the clerk or by the chairman, to each member of the Board.
d. Meeting dates and times shall be posted forty-eight (48) hours in advance of the meeting on the bulletin board at the county courthouse, government center and the McSwain Extension Education and Agriculture Center.
e. All meetings shall be open to the general public. Individuals wishing to speak before the Board must sign in prior to the meeting with the Clerk. The time allowed for public comments will be a total of 30 minutes with individuals allowed three minutes each with no yield.
f. Cancellation of Meetings: Whenever there are no new applications for consideration, or revocations of the Farmland Preservation Agreement, or whenever so many regular and alternate members notify the clerk of inability to attend and a quorum will not be available, the chairman may dispense with a regular meeting by giving written or oral notice to all members not less than 24 hours prior to the time set for the meeting.
g. Quorum: A quorum is defined as at least two-thirds of the members in attendance. No business may be conducted by the Advisory Board without a quorum present.
h. Voting: All regular members shall vote on each issue made in the form of a motion, unless they have disqualified themselves for one or more of the reasons listed in Section IV-E and have been excused from that vote. All abstaining from voting, and not previously excused from that vote, will be counted in favor of the motion. All silent votes will be counted in favor of the motion. The vote of a majority of the members present and voting shall decide issues before the Board.
i. Records: The clerk shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of cooperative Extension, and shall be a public record.

VI. Powers and Duties:

a. Review and approve or disapprove application of landowner for enrollment qualified farmland, horticultural land, or forestland in a voluntary agriculture district.
b. Make recommendations concerning the establishment and modification of agricultural districts;
c. Conduct public hearings pursuant to Article XI of the Voluntary Agriculture District Ordinance to consider any action by a governmental unit to condemn and interest in qualifying farmland within a District;
d. Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy and agricultural, horticultural or forestry activities within the county that will affect agricultural districts;
e. Review and make recommendations concerning proposed amendments to the Lee County Voluntary Agricultural District ordinance;
f. Review the countywide farmland protection plan as defined in N.C.G.S. 106-744 (e)(1) and make update recommendation to the Lee County Board of Commissioners annually;
g. Submit to the Commissioner of Agriculture at least once a year, a written report including the status, progress, and activities of the County's farmland preservation program per N.C.G.S. 106-743;

h. Study additional methods of protection for farming, horticulture, forestry, and the attendant land base, and make recommendations to the Board of Commissioners; and
i. Perform other agriculture, horticultural, and forestry-related tasks or duties assigned by the Board of Commissioners.

VII. **Amendments:** These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than 2/3 of the members present, provided that such amendment(s) be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

These rules are hereby read, approved, and adopted by the Lee County Agricultural Advisory Board on the 16th day of September, 2009 the following members voting:

AYE:

La-Verne Joyner
Jane S. Barringer
Barbara Alpine
G. Darrell Doby
Wayne Yarborough
Ed. ANGEL
Wayne Watson

Tony L. Raga

Chairman

Rhonda M. Gaster
Clerk

LEE COUNTY
Committed Today for a Better Tomorrow