

# **BY-LAWS GASTON COUNTY ANIMAL CARE AND ENFORCEMENT ADVISORY BOARD**

## **ARTICLE I - NAME**

The name of this board shall be the Gaston County Animal Care and Enforcement Advisory Board ("Board") as created by Gaston County Resolution 94 -149 dated June 9, 1994, and as subsequently amended.

## **ARTICLE II - PURPOSE**

The Board is created to review and recommend to the Gaston County Board of Commissioners animal control policies, policy changes and recommendation for fees. The Board is designed to assist the County in fostering the humane treatment of animals and the control of feral animals and pet overpopulation.

## **ARTICLE III - DUTIES**

Acting under the authority delegated by the Gaston County Board of Commissioners, the Gaston Board shall:

- **Fees.** Make fee recommendations and changes to the Gaston County Fee Schedule concerning licensing and other animal - related fees.
- **Appeals.** Hear appeals and reach decisions on appeals arising out of dangerous animal declarations and alleged animal - related violations from the Gaston County Code of Ordinances, particularly being Chapter Four of the Gaston County Code of Ordinances.
- **Commissions and Staff Resource.** Respond to the Gaston County Board of Commissioners and staff requests for advice on matters related to animal control and the treatment of animals.
- **Reporting.** Upon request, present to the Gaston County Board of Commissioners an annual report of key actions and issues.
- **Responding to Citizen Complaints.** Hear citizen complaints or concerns about animal - related matters.

## **ARTICLE IV - MEMBERS**

**Section 1 — Number and Qualifications:** The Board shall consist of eleven members, consisting of representatives from the following categories:

- Eight (8) members to be appointed by the Gaston County Board of Commissioners. There is no township residency requirement;
- One (1) Veterinarian (recommendation/nomination shall be submitted to the Gaston County Board of Commissioners with actual appointment made by the Board of Commissioners);
- One (1) Humane Society Member (recommendation/nomination shall be submitted to the Gaston County Board of Commissioners with actual appointment made by the Board of Commissioners); and
- One (1) Animal League Representative (recommendation/nomination shall be submitted to the Gaston County Board of Commissioners with actual appointment made by the Board of Commissioners).

**Section 2 — Terms and Appointments:** All appointments to the Board shall be made for four (4) year terms.

## **ARTICLE V - OFFICERS**

**Section 1 — Officers Defined:** The officers of the Board shall consist of a Chairman, a Vice Chairman, Recording Secretary, and Assistant Recording Secretary elected by the members of the Board from its membership.

**Section 2 — Duties:** The Chairman shall call and preside at all meetings and public hearings of the Board; shall decide on all matters of order and procedure; shall speak for the Board regarding Board actions, policies and recommendations; shall appoint any committees found necessary to investigate any matters before the Board or to perform any of its duties; shall authorize special meetings of the Board and shall have authority to cancel regular meetings pending no business to be considered.

The Vice Chairman shall, in the absence of the Chairman, assume the duties of the Chairman and perform other duties delegated by the Chairman.

The Recording Secretary shall maintain a copy of the official minutes of the Board and forward an electronic copy to the Administrator of GC Animal Care and Enforcement, which are public record and open to public inspection in accordance with the Open Meeting Law and County Policy. In addition, the Recording Secretary or appropriate staff shall provide forty -eight (48) hours notice of special meetings carry on routine correspondence and maintain the files of the Board; shall maintain, as a part of the project files, all studies, plans, reports and recommendations provided to the Board as evidence in a matter, along with actions made by the Board in the discharge of its duties and responsibilities.

The Assistant Recording Secretary shall, in the absence of the Recording Secretary, assume the duties of the Recording Secretary.

**Section 3 — Elections:** The Chairman, Vice Chairman and Recording Secretary, and Assistant Recording Secretary shall be elected at the Board's annual organizational meeting held in January.

## **ARTICLE VI - MEETINGS**

**Section 1 — Regular Meetings:** Regular meetings shall be held the third Tuesday of each quarter (January, April, July, October) at 6:30 PM at the Gaston County Police Department at 420 W. Franklin Blvd., Gastonia, North Carolina. The meeting date, time and /or location may be changed at the direction of the Chair or Board provided that meetings may be held at any other convenient place in the Gaston County area and notice is given by the Secretary in accordance with applicable laws and policies of the County for meeting notification. Each member shall be notified of any changes to the regular meeting schedule by the Secretary to the Board.

**Section 2 — Special Meetings:** Special meetings of the Board may be called at any time by the Chair, or the Vice - Chair, serving in capacity of the Chair. Notice shall be given at least forty-eight (48) hours in advance of the meeting, stating the time, place and purpose of the meeting to each member of the Board and sunshine list notification requirements under State and local laws, policies or ordinances.

**Section 3 — Cancellation of Meetings:** Whenever there is no business for the Board, the Chairman may dispense with a regular meeting by giving notice to all members not less than forty-eight (48) hours prior to the time set for the meeting, and sunshine list notification requirements under State and local laws, policies or ordinances.

**Section 4 — Recess of Meeting to Time, Place Certain:** In the event the Board finds it necessary to continue a meeting to complete the agenda, the Board may Recess the Meeting to a time and place certain. This Recessed Meeting shall only consider items that were on the original agenda or a continuation of an agenda item. No new business shall be conducted during a Recessed Meeting. Recessed Meeting notification shall follow the State and Gaston County Policy for Open Meetings Law.

**Section 5 — Quorums:** Unless otherwise required by Federal, State or local ordinance, law or policies, the quorum shall be a simple majority of the voting members of the Board. At any time when the membership is less than the required quorum, the Board shall not be able to conduct business or take action. Items not considered by the Board shall be carried over to the next regularly scheduled meeting, or to a special meeting scheduled under this policy.

**Section 6 — Vote:** Unless otherwise specified by Federal, State, or local law, ordinance or policy, matters will be determined by a simple majority of the voting members present at the meeting, provided that a quorum has been maintained.

**Section 7 — Attendance:** Each member shall be expected to attend all regular meetings. Per Policy 2009 -313 adopted by the Gaston County Board of Commissioners on September 24, 2009: *With the exception of medical reasons*, any member of a Commission appointed body may be removed from office if in a calendar year he /she:

- a. Is absent from three (3) consecutive board /committee meetings, or
- b. Has less than a sixty (60 %) percent attendance record.

**Section 8 — Conflict of Interest:** Should any member of the Board be financially or otherwise closely associated with any issue that comes before the Board, said member shall make public said possible conflict, the nature of the conflict, and ask for a determination by the Board. A majority vote of those voting members without such conflict shall determine if said conflict does exist, and should a conflict exist, the Board shall grant the member removal from the discussion or vote on issue involved. A member of the Board may raise the question of conflict of interest of another member regarding a specific issue that is before the Board. Similarly, any interested party may challenge the existence of a conflict of interest or ask for the determination of an undisclosed conflict of interest.

**Section 9 — Open Meetings:** The meetings of the Board shall be open to the public in accordance with the laws of the State of North Carolina.

**Section 10 — Conduct of Meetings:** All meetings shall be open and accessible to the general public. The Board may change the order of the agenda items during the meeting and/or add/delete agenda items as it deems necessary. *Robert's Rules of Order. Newly Revised*, where not inconsistent with these By-Laws, shall govern the procedures for meetings of the Board. The order of business at regular meetings shall be as follows:

- a. Call to order
- b. Determination of Quorum
- c. Approval of Minutes of Previous Meeting(s)
- d. Hearing of Appeals
- e. Consideration and Determination of Appeals Heard
- f. Other Business
- g. Adjourn

## **ARTICLE VII - COMMITTEES**

The Board may establish as many sub-committees or ad-hoc committees as may be deemed necessary to carry out the goals and objectives.

## **ARTICLE VIII - AMENDMENTS**

Changes or amendments to the By-Laws of the Board shall require an affirmative vote of three-fourths (3/4) of the voting members of the Board. Upon change in the By-Laws of the Board, notice shall be provided to the Clerk of the Board of Commissioners. Proposed changes in the

By-Laws shall be presented at a regular meeting or work session of the Board, and shall be acted upon no sooner than the first regular meeting subsequent to meeting in which said changes were presented.

## ARTICLE IX - RATIFICATION PROVISION

These By-Laws were duly adopted by a majority of the members of the Board this \_\_\_\_ day of \_\_\_\_\_ 2016, and, approved by the Gaston County Board of Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Steve Whitlow, Chairman  
Gaston County Animal Care and Enforcement Advisory Board

\_\_\_\_\_  
Date

*I, Dr. Kristine Blankenship, Administrator of Gaston County Animal Care and Enforcement, do hereby certify that the above is a true and accurate copy of the By-Laws of the Gaston County Animal Care and Enforcement Advisory Board as approved on the \_\_\_\_ day of \_\_\_\_\_, 2016.*

\_\_\_\_\_  
Kristine Blankenship, Administrator  
Gaston County Animal Care and Enforcement

\_\_\_\_\_  
Date

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### Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate copy of the Animal Care and Enforcement Advisory Board By-laws as adopted by the Board of Commissioners on February 9, 2016.

SEAL

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Donna S. Buff, Clerk