



City of Kings Mountain

BOARDS, COMMISSIONS, AND COMMITTEES

Thank you for your interest in serving on one of the City of Kings Mountain's Citizen Advisory Boards.

The City of Kings Mountain offers many opportunities for citizens to be involved by serving on one of our advisory boards and commissions. This is a great way to contribute your special expertise or training in decisions that may have a direct impact on your neighborhood. The City's advisory boards include the following:

- Planning and Zoning Board
- John H. Moss Reservoir Commission
- Mauney Memorial Library Board of Trustees
- Patrick Senior Center Advisory Board
- Kings Mountain ABC Board
- Board of Adjustment
- Kings Mountain Parks and Recreation Advisory Board
- Kings Mountain Redevelopment Commission



City of Kings Mountain Governing Body

❖ The City of Kings Mountain was first incorporated on February 11, 1874. (February 11, 2024 marked our 150th Anniversary, or “Sesquicentennial”).



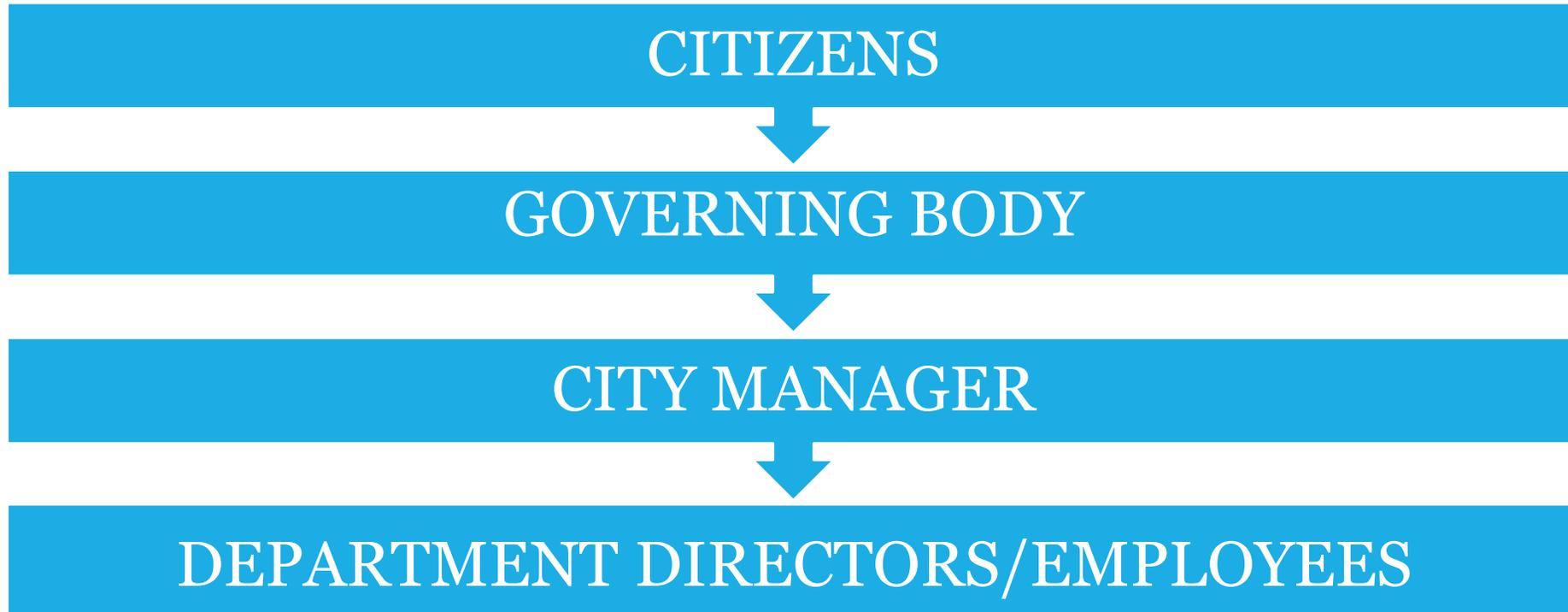
❖ The Governing Body consists of eight public officials. These include the Mayor, five Councilmembers - one from each of our five electoral Wards and two At-Large Councilmembers. The Mayor may only vote only in the case of a tie.

❖ North Carolina allows local governments to operate under “charters” granted by the General Assembly.

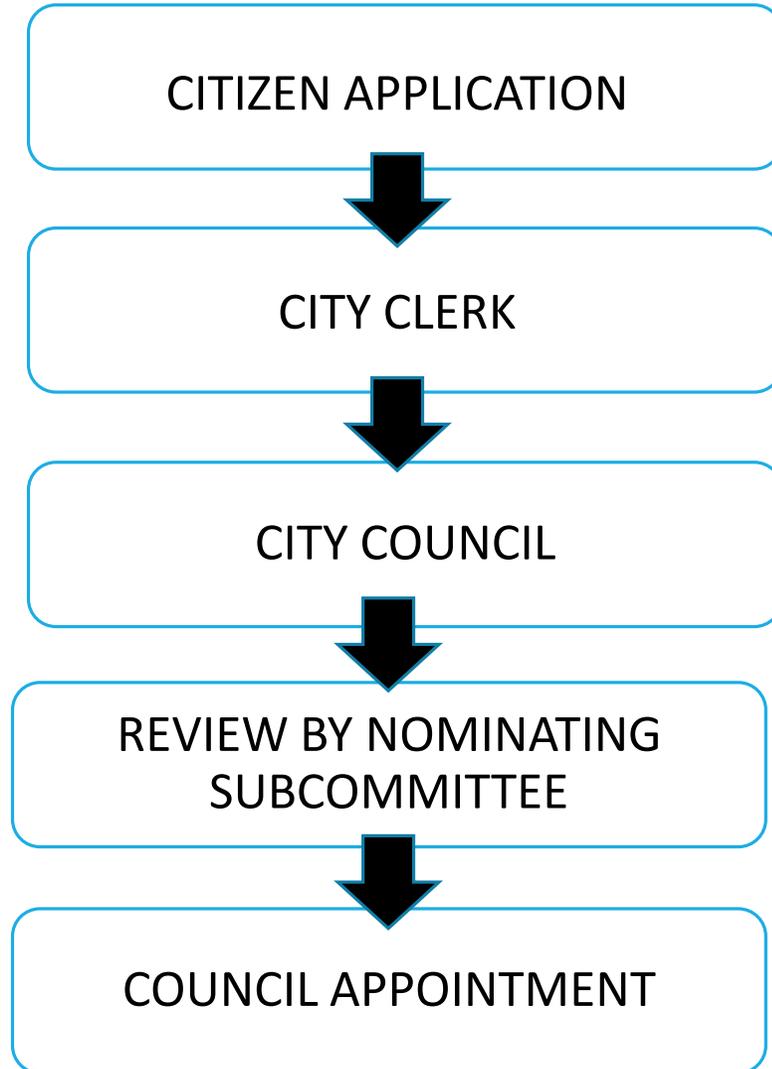
❖ Such authorities and powers are granted under North Carolina General Statute, N.C.G.S. 160A.

City of Kings Mountain Council-Manager Form of Government

KINGS MOUNTAIN Had a History of operating under the “Strong-Mayor” FORM OF GOVERNMENT BUT, beginning on March 29, 1988, they moved to the “Council-Manager” form.



ADVISORY BOARD APPLICATION PROCESS



- ❖ All appointments to City Boards and Commissions are made by City Council consistent with the applicable state law, city ordinance, resolution, policy or by-laws.
- ❖ Applications are **required** for all board appointments. A pool of applications will be maintained in the City Clerk's Office.
- ❖ Applications are submitted online through the City's website. They are then passed to Mayor and Council for review.
- ❖ Applications are presented to the Nominating Committee for discussion and consideration before making a recommendation to City Council for appointment.
- ❖ **Most boards consist of citizens who live within the corporate limits of the City of Kings Mountain; however, the City does have board positions on Planning and Zoning Board and Board of Adjustment for those who live in the ETJ area of Cleveland and Gaston Counties. These seats are appointed by the Board of County Commissioners and should be applied for through the Cleveland or Gaston County board portal.**
- ❖ Applications will be held for **one year** unless appointed, then will be retained subject to Standard 1, Item 1.48 of the NC Department of Natural and Cultural Resources Records Retention and Disposal Schedule.

NOMINATION POLICY

The Policy for City Council Appointments to Authorities, Boards, Commissions, and Committees was adopted on February 26, 2019 in an effort streamline the terms, term limits, and appointment processes. This policy will allow a greater opportunity for interested citizens to serve. The policy allows for Council to appoint a Nominating Committee to evaluate applications for membership on boards and make recommendations to Mayor and Council names of nominees to all boards for which City Council is charged with appointing.

❖ The Nominating Committee consists of three Councilmembers who are appointed every two years at the Organizational Meeting of City Council. The current members are:

Councilmember Shearra Miller, Chairperson

Councilmember Tommy Hawkins

Councilmember Mike Butler

Mayor Rob Wagman, Ex-Officio

❖ The Nominating Committee meets in Council Chambers at City Hall at 8:30 a.m. on the 3rd Wednesday of each month.

Terms and Term Limits

TERMS

- ❖ Terms for all Boards and Commissions are limited to a maximum of three years, unless otherwise specified in the N.C.G.S.

TERM LIMITS

- ❖ A member may serve a maximum of **two consecutive** terms on a board, *unless there is a reasonable exception*.
- ❖ A member may reapply and be appointed to serve on a board after being off for **one year**.
- ❖ If a member is appointed to fill **more than half** of the remainder of an unexpired term, this shall count as a full term.
- ❖ Unless otherwise specified in the N.C.G.S., a Chairperson and Vice-Chairperson shall be elected by the full membership of the board annually at the first regular meeting. These officers shall be elected for a term of one (1) year, and may be eligible for one additional one (1) year term.

OPEN MEETINGS AND NOTICES

N.C.G.S 143-318.10(B) defines the term **public body** as any **elected** or **appointed** board, commission, committee, council, authority, or other body that (1) has at least two members and (2) exercises or is authorized to exercise any of these powers: legislative, policy-making, quasi-judicial, administrative, or advisory.¹

OPEN MEETINGS LAW REQUIREMENTS FOR ALL PUBLIC BODIES

The North Carolina open meetings law gives the general public a right to attend official meetings of public bodies. Public right of access creates a spirit of transparency in local government decision making.

Notice and access requirements under the open meetings law are triggered when there is an “official meeting” of a “public body.”

An “official meeting” occurs whenever a majority of the members of a “public body” gather together to take action, hold a hearing, deliberate, or otherwise transact the business of the body.

PUBLIC RECORDS LAW

N.C.G.S Chapter 132 contains the main statutes that define the scope of Public Records law. This chapter “provides board right of access to records to records of public agencies.” ¹

SO, HOW DOES THIS APPLY TO ADVISORY BOARD MEMBERS.....

Digital communications created or received in the transaction of public business, including those on private devices, are subject to public records law. ²

Think of this as a “content NOT device” matter. Text messages and emails relating to the transaction of public business, even those created on private devices are still public records.

This applies to employees, governing board members, and advisory board members.



¹BLUESTEIN, F. (2014). COUNTY AND MUNICIPAL GOVERNMENT IN NORTH CAROLINA (2ND ED., PP. 127-135). SCHOOL OF GOVERNMENT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

² STATE ARCHIVES OF NORTH CAROLINA (N.D.). DIGITAL COMMUNICATIONS. DIGITAL COMMUNICATIONS WEBPAGE OF THE STATE ARCHIVES. [HTTPS://ARCHIVES.NCDCR.GOV/GOVERNMENT/DIGITAL-RECORDS/DIGITAL-COMMUNICATIONS](https://archives.ncdcr.gov/government/digital-records/digital-communications)

Board Member Responsibilities – Do your due diligence!

- ❖ Before applying to serve on an advisory board, make sure the established meeting day and time is convenient for your schedule. **Your attendance is very important, as our boards cannot function without a quorum.** Members having absences of more than 25 percent of the meetings they are required to attend in any 12-month period are automatically removed from their position, unless an exception is given when there is a reasonable basis.
- ❖ Don't be afraid to ask questions before you apply. City staff is always here to assist you in finding a place where your special expertise and talents can be best utilized.
- ❖ **Make sure that you have no conflicts of interest with the board that you are applying to serve.**
- ❖ No resident of the City of Kings Mountain may serve in more than two appointed positions at one time.
- ❖ **Individuals who hold an elected office of any kind, may not serve more than one appointed position on a board, commission, authority or committee at one time. City Councilmembers are exempt from this section unless they are in violations of N.C.G.S. § 128.1.**
- ❖ Once appointed, familiarize yourself with the board's by-laws and policies, read the board minutes, ask questions and understand your board's responsibilities.



Thank you for your willingness to serve!



For more information and a description of each of the City's boards and commissions, please visit our website at www.cityofkm.com

If you have any questions, please contact the City Clerk by email at karen.tucker@cityofkm.com or by phone at 704-734-0333.