



By-Laws & Rules of Procedure  
Harrisburg Arts, Culture & Heritage Committee

**ARTICLE I – PURPOSE**

Established as a sub-committee of the Harrisburg Parks & Recreation Advisory Board, the Harrisburg Arts, Culture & Heritage Committee (ACH Committee) promotes, supports and expands the Arts, Culture & Heritage as an integral aspect of the life for all citizens in the Harrisburg area. The Committee advises the Town of policy and program development, oversees and pursues grants and public art programs, advocates for Arts, Culture & Heritage, and acts as a liaison between the Arts, Culture & Heritage community and the Town. Arts, Culture & Heritage Committee members are appointed by the Town Council.

**ARTICLE II – OFFICE**

The principal location and office of the Committee shall be located in the Town of Harrisburg

**ARTICLE III – COMMISSION**

**Section 1. Membership:**

The Committee shall include one (1) Ex-officio, non-voting Town Council Liaison and five (5) members of the community. The Committee shall include one (1) Ex-officio non-voting Parks and Recreation Staff liaison (Director or his/her designee). This staff member shall be responsible for ensuring the committee operates within the guidelines and policies of the Town and assist with improving or development of new and existing programs. In recognition of the Towns county-wide partnership with the Cabarrus Arts Council, the Committee may contain up to two (2) members outside of Harrisburg Town limits. Council Liaison will follow a two-year rotation to coincide with elections. Staff Liaison will remain the Parks & Recreation Director and/or his/her designee.

## **Section 2. Selection and Term**

- a.** Members of the Committee shall be appointed by the Harrisburg Town Council for a term of two (2) years. Applications to serve on the Committee are available on the Towns website or upon request from Harrisburg Parks & Recreation. Terms will run a calendar year of January through December. The inaugural year of the Committee shall contain two members whom serve a term of one (1) year in order to establish an effective staggered rotation of the Committee members.
- b.** The organization meeting will be held in January of each year. At this meeting expiring Committee members will be considered for reappointment and new members will be recommended to Town Council.
- c.** Members of the Committee shall be appointed to no more than four (4) consecutive terms and shall be eligible for reappointment after an absence of one (1) year.

## **Section 3. Parliamentary Authority**

All matters shall be decided by a simple majority vote.

## **Section 4. Number of Terms Served**

Committee members may serve four (4) consecutive two (2) year terms, eight (8) years total and then may be reappointed after an absence of one (1) year. Two members serving the initial one (1) year terms may serve three (3) consecutive terms, eight (8) years total) and then may be reappointed after an absence of one (1) year.

## **Section 5. Attendance**

Meetings are held monthly, on the first (1<sup>st</sup>) Monday. Attendance is mandatory with an understanding of three (3) absences allowed per calendar year. More than three (3) absences in a calendar year may result in removal by Town Council.

## **Section 6. Vacancies**

For the purpose of filling vacancies, the Committee may submit names with applications for each Committee vacancy to Town Council. Town Council may appoint Committee Members from the recommended list or from applications made directly to the Town Council.

## **Section 7. Resignation/Termination**

Any Committee member may resign at any time by submitting written notice of such resignation to the Chair of the Committee. A person appointed in place of the Committee Member who resigned shall serve the remainder of that term. A Committee Member may be terminated by a recommendation to the Harrisburg Town Council and a vote of the Council to terminate the Committee Member.

## **ARTICLE IV: OFFICERS**

### **Section 1. Designation and Number**

The officers of the Committee shall be the Chair, the Vice-Chair, and the Recording Secretary. Other officers may be elected if the majority of the Committee determines it to be necessary or desirable for the efficient administration of the Committee.

### **Section 2. Legal Counsel**

Any items put forth by the Committee requiring legal counsel or guidance should be administered through the Parks and Recreation Director for the utilization of the Town Attorney.

### **Section 3. Election/Approval of Officers and Terms of Office**

- a. Officers shall be elected by the Committee
- b. Each Officer shall be elected for a one (1) year term
- c. Each Officer of the Committee shall be eligible to serve for two (2) consecutive terms and be eligible for re-election after an absence (from Office) of one (1) year.
- d. Election of officers will take place at the February Committee meeting.

### **Section 4. Special Appointment of Officers**

An officer may be appointed by simple majority of the Committee to fill a vacancy or to serve a shortened term. This may be done at any time during the year with an expiration date of the appointment(s) so made coinciding with the Committee calendar year (Jan 1-Dec 31).

### **Section 5. Resignation or Termination of Officers**

An officer may resign at any time by submitting written notice of such resignation to the Committee. An officer may be removed from office for any reason by a 2/3 vote of the remaining Committee Members at a regular meeting, or a special meeting called for that purpose.

### **Section 6. Duties**

- a. The Chair of the Committee shall preside at all full Committee meetings, shall sign all documents requiring an official signature on behalf of the Committee, including its annual report to the Harrisburg Town Council. The Chair shall ensure that the transaction of all Committee business is in accord with any applicable law, these by-laws, and the conflict of interest statement identified in Article IX. The Chair shall recommend, with the Committee's approval, Chairs and Committee Members to serve on the various standing and special Committees of the Arts, Culture and Heritage Committee. No pronouncements made by the Chair as spokesperson or representative of the Committee shall obligate or commit the Committee except as provided in these by-laws or as otherwise specifically authorized by the Committee.
- b. The Vice-Chair shall act in the absence of the Chair to conduct meetings or otherwise perform such duties as may be delegated by the Chair of the Committee.

- c. The Recording Secretary of the Committee shall be responsible for taking minutes during Committee meetings. All Committee records and minutes shall be provided to the Parks and Recreation Director or his/her designee and made public via the Town of Harrisburg website. Minutes and records shall be open to inspection by the public at reasonable times. All copies of minutes and records will be maintained within the Towns data base and records.
- d. The Immediate Past-Chair of the Committee shall be the Advisor and holds this position for a term of one year.

#### **ARTICLE V: SUB/ADHOC-COMMITTEES**

The Chair shall create such standing and ad-hoc committees as may be required to conduct the business of the Committee. The Chair of the Committee shall appoint at least two (2) Members to each committee. These appointees may include non-voting community members who are not Committee Members as long as there are at least two (2) Committee Members on the Committee, one of which shall be the Committee Chair. Sub/Ad-hoc committees are not required of the Committee and the Committee may perform all such tasks as the ACH Committee exclusively.

**Section 1. Standing Committees:** The following shall be examples of types of standing committees of the Arts, Culture & Heritage Committee (but may not reflect all types of relevant committees):

- (1) Public Art.** A committee in this capacity would be made up of at least two (2) voting ACH Committee members with up to three community members. This committee would be charged with developing Town public art by: finding and securing locations for public art display, determining scope and natures of work, arranging contacts and projects with artists and locating funding.
- (2) Grants.** A committee in this capacity would be made up of at least two (2) voting ACH Committee members, one of which should be the Chair with up to three community members. This committee would be charged with locating and securing grants and reviewing grants from the ACH Committee.
- (3) Events.** A committee in this capacity would be made up of at least two (2) voting ACH Committee members with up to three community members. This committee would be charged with working directly with the Recreation Programs Manager of the Parks and Recreation Department or Parks and Recreation Director. This committee would be charged with helping with volunteer recruitment, sponsorship, promotions, attracting other events and other details as set forth by the Parks and Recreation Department. This committee may also serve in the capacity of assisting with other special events and interests requested by the community or Council but not sponsored by the Town of Harrisburg. Some events may be free standing with only counsel support or they may be Town sponsored.

## **ARTICLE VI: REPORTING**

The Committee shall make an annual report of its activities to the Harrisburg Parks and Recreation Advisory Board the Month of February. This report shall be shared with Town Council through regularly scheduled Council meetings by the Parks and Recreation Director.

## **ARTICLE VII: MEETINGS OF THE ACH COMMITTEE**

### **Section 1. Public Meetings**

All meetings and business of the Committee shall comply with requirements of the Town of Harrisburg Code of Ordinances and North Carolina Open and Public Meetings Law.

### **Section 2. Regular Meetings**

Regular meetings of the Committee shall be held monthly (unless waived by the majority of the Committee).

### **Section 3. Special Meetings**

Upon the call of the Chair or any Two (2) Committee Members or a vote of the Committee, other meetings of the full Committee may be held upon notice by letter, telephone, e-mail, or in person, sent at least forty-eight (48) hours before such a meeting to each Committee Member. All notices shall be in compliance with North Carolina Law.

### **Section 4. Quorum**

Three (3) Committee Members shall constitute a quorum for the transaction of business at Committee meetings.

### **Section 5. Formal Action**

Every act done, or decision made by a majority of the Committee Members present at a meeting duly held at which a quorum is present shall be regarded as the act of the Committee.

### **Section 6. Agenda:**

- An agenda for each meeting of the Committee shall be prepared by Parks and Recreation Director and/or his/her designee with the cooperation and input of the Chair.
- The agenda shall contain a brief title or description of each item of business to be discussed and/or acted upon.
- The agenda shall include the time, date and location of the meeting and the following:
  - a. Invocation
  - b. Pledge of Allegiance
  - c. Roll Call
  - d. Agenda Review/Adjustments
  - e. Minutes/Approval of Minutes from previous meeting
  - f. Public Comment
  - g. Old Business
  - h. New Business
  - i. Town Council Liaison Report/Update
  - j. Town Staff Liaison Report/Update
  - k. Committee Comments
  - l. Adjournment

- A copy of the agenda shall be delivered to the members of the Committee and posted on the Town of Harrisburg Website for a period of at least 72 hours prior to the time set for holding a regular meeting and at least 48 hours prior to the time set for holding and special meeting of the Committee.

**Section 7. Conduct of the Meeting**

All meetings shall be open to the public, participation in discussions by members of the public should occur in accordance to the meeting agenda listed as “Public Comment” or at the discretion of the Chair of the meeting with a simple majority vote of the Committee. The agenda shall be followed to the extent possible, but other matters may be considered with a simple majority vote of the Committee. All members are required to give undivided attention to all meetings and refrain from any side-bar conversation or banter. The Chair is responsible for maintaining conduct in all meetings.

**Section 8. Public Appearances and Requests**

Any Harrisburg resident or organization shall be entitled to request to appear before the Committee. Such requests must be made in writing, by telephone, or by email and shall be delivered to the Committee Chair at least seven (7) working days prior to the meeting of the Committee. The communication shall include all relevant facts concerning the personal appearance or request. Each Committee meeting will have time set aside for public comment.

**Section 9. Records**

Minutes and records of the business conducted at all meetings of the Committee shall be kept and shall be open for public inspection. The Minutes and records of each meeting shall be subject to approval by the Committee and shall be signed by an officer of the Committee, usually the Secretary. The Minutes shall be forwarded to each Committee Member prior to the next subsequent meeting for approval and action at such subsequent meeting. All minutes and agendas will be maintained and made available on the Town of Harrisburg website.

**Section 10. General Meeting Conduct**

- a. All meetings shall be conducted in a courteous, professional, and efficient manner and all persons in attendance shall comport themselves in a manner befitting the proceedings.
- b. Speaking without the Chairs permission or speaking out of turn in the course of a discussion is not acceptable and may be ruled out of order.
- c. Obscene language or gestures, excessively loud tones, personal attacks, or any other threatening speech or actions are not acceptable and shall be ruled out of order.
- d. Repetitive or unduly argumentative testimony or discussion is not acceptable and may be ruled out of order.

**Section 11. Rules of Order**

Except as otherwise provided in these Bylaws, “Roberts Rules of Order, Newly Revised”, shall be used as a guide to the conduct of the meetings of the Committee provided, however, that the failure of the Committee to conform to said Rules of Order shall not, in any instance, be deemed to invalidate the action taken.

## **ARTICLE VII: COMPENSATION**

No Committee member or member of its Sub-Committees shall receive compensation for services rendered as a Committee or Committee Member; but by resolution of the Committee may be reimbursed for expenses associated with their duties.

## **ARTICLE IX: CONFLICT OF INTEREST**

No members of the Committee shall be related in any form.

## **ARTICLE X: ETHICS**

**Section 1.** All members are duty bound to:

- Uphold the by-laws of the Committee, Ordinances and Policies of the Town of Harrisburg
- Fully comply with all applicable local, state, federal statutes regarding disclosure of assets, open meeting practices, and other ethics based requirements.
- Act in good faith and conscience using professional expertise, personal experience and common sense based upon the best available information, observation, and testimony and within established legal limits and authority.

**Section 2.** Ex-parte communications are discouraged and if such communications occur, the communication must be disclosed by the Committee member(s).

**Section 3.** All members shall act respectful and courteous to all other members and guests, following the golden rule; treat others the same as you would like to be treated.

**Section 4.** All members shall refrain from using any personal electronic devices during any public meeting of the Committee, except those devices utilized for the express purpose of being used during such public meetings.