

## NEUSE RIVER BASIN REGIONAL COUNCIL

### SUMMARY OF MEETING

January 22, 1996 -- Smithfield, NC

Thirty-three of forty-nine (there are three vacancies) Neuse River Basin Regional Council (NRBRC) members gathered at the Johnston County Agricultural Building in Smithfield on January 22, 1996 for the second of their scheduled meetings. The meeting began at 9:15 am with Linda Rimer, Assistant Secretary for Environmental Protection, Department of Environment, Health and Natural Resources, offering opening remarks.

Representatives of the Cooperative Extension Service, NC State University, were called upon to facilitate the meeting for purposes of obtaining agreement on how the NRBRC wished to determine their methods of operation and decision-making. For their review, a set of proposed draft by-laws were sent to each NRBRC member prior to the meeting. As an interim method of decision-making, the NRBRC agreed for voting purposes to comply with a 2/3 majority of members (provided a quorum is established) and that minority opinions would also be entered into meeting records.

Overviews of Neuse River issues and the "Proposed Interim Neuse River Nutrient Sensitive Waters (NSW) Management Strategy" and strategies for controlling point sources of pollution, were presented by Dr. Greg Thorpe, Division of Environmental Management, Water Quality Section (DEM-WQ), and Steve Bevington, also of the DEM-WQ Section, respectively. After a lengthy discussion, the group adjourned the morning session for a lunch break.

Upon reconvening, Dr. Thorpe continued the presentation on Neuse River management strategies related to controlling nonpoint sources of pollution.

NRBRC members were then addressed by Boyd DeVane, DEM-WQ Section, to prioritize and consider comments received from several sources pertaining to the draft NSW strategy. NRBRC members received a copy of the draft NSW strategy in a previous mailing. The NRBRC then voted to support the establishment of an interim (ad-hoc) Chair. Mr. George Wolfe, County Commissioner from Wayne County, agreed to serve as the interim Chair until such time as the entire group could meet and formally elect a slate of officers and ratify the NRBRC by-laws.

Additionally, the NRBRC was requested to send a representative to the Environmental Management Commission's Water Quality Committee (WQC) meeting held on January 25th in Raleigh. The purpose of the WQC meeting was to hear comment from invited stakeholders pertaining to the draft NSW strategy. The NRBRC agreed to send Ms. Donna Wright, interest group representative for conservation of Johnston County, to deliver the NRBRC's comments to the WQC.



The NRBRC further agreed that their formal comment to the WQC would be that they did not feel they have had sufficient opportunity to formulate an informed opinion and would reserve their comments for such time as they were able to do so.

Discussion then turned to the establishment of an interim Ad-hoc Steering Committee to help guide the NRBRC in decision-making and method of operation. Several members offered to participate on the Steering Committee in addition to those who volunteered to do so at the first meeting on November 27, 1995 in New Bern. (See attached listing).

The last agenda item called for open discussion with the public being offered an opportunity to address the NRBRC. There were no members of the public present who chose to speak and the meeting was adjourned at 4:30 pm.







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- E. perform liaison function between the NCDEHNR, local government, and stakeholders/organizations represented by the Council members.

To fulfill this purpose, the members of the NRBRC shall be expected to communicate the activities of the NRBRC to their respective organizations, local governments, and the public, and conversely, to communicate the comments and concerns of these organizations to NRBRC membership and others, as appropriate.

Specifically, the NRBRC shall:

- A. disseminate information about the NRBRC, interpret and communicate the goals and strategies of the Albemarle-Pamlico Estuarine Study's Comprehensive Conservation and Management Plan (CCMP), Governor Hunt's Coastal Agenda, and DEM's basinwide management plans to the public and to interest groups, and advise the NRBRC of reaction and comments;
- B. provide input to the NCDEHNR, EMC and others in implementing the goals of the CCMP, Coastal Agenda and Neuse Basin Plan and in defining environmental indicators to help monitor progress in implementing these plans;
- C. track and monitor local, state and federal actions to assess their contribution in achieving the goals set forth in the CCMP, Coastal Agenda, and DEM Neuse Basin Plan(s);
- D. identify opportunities and mechanisms to involve the public in implementing the CCMP, Coastal Agenda and DEM Neuse Basin Plan(s);
- E. communicate with decision makers and other authorities about implementation needs and assist in shaping priorities;
- F. act as advocates for securing adequate funding for the implementation of plan goals and objectives.

## ARTICLE II

### Membership and Officers

#### Section 1: NRBRC Composition

The NRBRC shall be composed of individuals representing a cross section of groups and organizations and local governments (county and municipal) that use or have concerns about the Neuse River. The interests shall include:

- \* agriculture
- \* silviculture
- \* commercial fishing
- \* recreational fishing
- \* conservation
- \* environmental science
- \* business/industry
- \* tourism





\* Soil & Water Conservation  
Districts

\* at large  
\* local government

The goal shall be to recruit a fair geographic distribution of members from throughout the Neuse River basin and to achieve a distribution of representation from among the membership categories defined in paragraph one of this section. Membership on the NRBRC may be expanded as determined by a majority of NRBRC members but may not exceed (60) members.

## **Section 2: Criteria for Membership**

Each member shall:

- A. be potentially affected by the management recommendations contained in the CCMP, Coastal Agenda, and DEM Neuse Basin Plan(s);
- B. be willing to assume responsibility for communicating with a major user or interest group, and to attend regular meetings;
- C. have some knowledge and interest in Neuse River water quality and resource management issues.

## **Section 3: Terms of Appointment**

According to the Governor's Executive Order, members shall serve for a five-year term to coincide with the five-year cycle of discharge permit renewals in the river basin. Vacancies shall be filled by the appointing authority.

## **Section 4: Method of Appointing Additional Members**

The process for appointing additional members to the NRBRC shall be as follows:

- A. nominations for additional members shall be solicited from among current members, the NCDEHNR, DEM staff, and by open invitation for nominations from the general public;
- B. a membership subcommittee consisting of the NRBRC chair, DEM staff, and one other NRBRC member, shall review all nominations received for consistency with the provisions of this article concerning NRBRC membership and composition;
- C. the membership subcommittee shall submit a list of proposed members to the NRBRC for review and approval.

## **Section 5: Compensation**

All members shall serve without compensation.



## **Section 6: Officers**

Officers of the NRBRC shall be elected by the members. The officers shall be a Chair, Vice-Chair and Secretary. The term of office shall be one year.

Election of officers shall be held in February of each year. A nominating committee shall be established to identify candidates, and shall notify NRBRC members of those nominated for each position at least 30 days prior to the meeting where voting will take place. Officers shall be elected by a majority vote of the NRBRC members present, provided that a quorum is present.

## **Section 7: Responsibilities of the Chair**

The Chair shall be responsible for:

- A. attending the Environmental Management Commission (EMC) meetings;
- B. communicating recommendations and concerns of the NRBRC to the EMC and vice versa;
- C. defining agendas for NRBRC meetings with assistance from DEM staff;
- D. chairing NRBRC meetings;
- E. coordinating an annual process to evaluate progress, priorities and next steps for the NRBRC, with assistance from DEM staff.

## **Section 8: Responsibilities of the Vice-Chair**

- A. the Vice-Chair shall serve in absence of the Chair and shall perform as the Chair in all matters of business;

## **Section 9: Responsibilities of the Secretary**

The Secretary shall:

- A. assist with defining the agenda;
- B. record the minutes of NRBRC meetings;
- C. establish whether a quorum is present;
- D. handle incoming correspondence;
- E. prepare any correspondence from the NRBRC to other individuals or organizations for endorsement by the Chair;



- F. ensure that all views on an issue are accurately recorded and reported.

## ARTICLE III

### Meetings

#### Section 1: Meetings

According to the Governor's Executive Order, meetings of the NRBRC shall be held at least two times a year. Subcommittees may meet more frequently. Meetings of the NRBRC shall alternate between locations in the Neuse River Basin and shall be open to the public.

#### Section 2: Agenda Items

Matters may be placed on the agenda for consideration at meetings of the NRBRC by any of the following:

- A. the NRBRC Chair
- B. a member of the NRBRC
- C. a member of the DEM staff

#### Section 3: Parliamentary Procedure

Robert's Rules of Order shall be the parliamentary authority for the conduct of NRBRC meetings. *(IT SHOULD BE NOTED THAT "ROBERT'S RULES OF ORDER" DO NOT APPLY TO GROUPS OPERATING BY CONSENSUS)*

#### Section 4: Attendance

Members of the NRBRC shall attend all regular meetings of the NRBRC. If any member of the NRBRC or his/her designated alternate fails to attend two regular meetings per year without sufficient explanation, the Chair may recommend removal and replacement of that member. This attendance requirement also applies to meetings of the various subcommittees.

#### Section 5: Decision Making and Voting Rights

*THE NRBRC MUST DECIDE HOW THEY WANT TO MAKE DECISIONS. THREE PROPOSED OPTIONS ARE PRESENTED BELOW:*

- A. Use of Consensus. The NRBRC will operate by consensus. NRBRC decisions will be made only with concurrence of all members represented at the meeting in which decisions are to be made. No member can be out voted.

Failure to Reach Consensus. If the NRBRC fails to reach consensus on any issue/resolution, that issue/resolution shall be submitted with multiple recommended options along with supporting information for each option.



- B. Majority Vote. Decisions/resolutions shall be adopted by a majority vote of the NRBRC members present, provided a quorum is present. A majority of the members shall constitute a quorum. Each member shall have one vote.
- C. Subcommittees of the NRBRC may operate by consensus to develop recommendations. Those recommendations would ultimately be decided upon by all members of the NRBRC through a majority vote.

## Section 6: Alternates

Whenever a NRBRC member cannot attend a meeting, he/she shall send his/her designated alternate. Alternates shall be recognized as constituting the voting members in attendance and shall be counted in determining a quorum.

## Section 7: Groundrules for Interaction

- A. Groundrules. Members of the NRBRC shall seek to participate constructively in meetings. Groundrules for constructive interaction include:
- \* Treat all members with courtesy and respect.
  - \* One person speaks at a time.
  - \* Listen carefully.
  - \* Be brief and clear in your comments.
  - \* Focus on the current agenda item.
  - \* It's ok to disagree.
  - \* Focus on the problem, not finding fault.
  - \* Observe meeting limits and only extend meetings 30 minutes when necessary with consensual agreement of members present.
  - \* Members making statements to the public on behalf of the NRBRC must have received approval by the NRBRC prior to speaking.
- B. Enforcement of Groundrules. Groundrules shall be monitored and enforced by members of the NRBRC.

## ARTICLE IV

### Subcommittees

#### Section 1: Subcommittees

The following shall be established as standing subcommittees to address regular business of the NRBRC:

- A. membership subcommittee, composed of the Chair, DEM staff and one other NRBRC member;





- B. issues subcommittee, composed of volunteers from among the NRBRC members;
- C. public outreach workgroup, composed of members appointed by the NRBRC in conjunction with DEM staff;
- D. nominating committee for the election of officers, composed of volunteers from among the NRBRC members, but excluding current officers.

As deemed appropriate, the NRBRC may designate additional subcommittees to address concerns and present recommendations to the full committee. A subcommittee may be proposed by the Chair, any NRBRC member, or DEM staff, and established by a majority vote of the members present, provided that a quorum is present.

All subcommittees shall report to the NRBRC about current activities on a regular basis.

## ARTICLE V

### Staff

#### **Section 1: Staff Support**

Staff support for the NRBRC shall be provided by the Division of Environmental Management-Water Quality Section.

#### **Section 2: Staff Responsibilities**

The staff shall be responsible for assisting the Secretary with the transmitting of minutes of all NRBRC meetings, notices/agendas to NRBRC members, and shall transmit a copy of the minutes of each NRBRC meeting to each member prior to the next regular meeting. He/she shall also ensure that consensus, majority and dissenting views on all matters and issues shall be recorded and reported.

## ARTICLE VI

### NRBRC Positions

#### **Section 1: Adopting Official NRBRC Positions**

Official positions of the NRBRC on any issue or topic shall be adopted by resolution. Proposed resolutions shall be provided to NRBRC members at least 30 days prior to the meeting where voting will take place. Resolutions may be proposed by the Chair or a member of the NRBRC. Proposed resolutions shall be transmitted to DEM staff at least 45 days before the meeting at which they will be acted upon in order to allow sufficient time for staff to transmit copies to



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NRBRC members. Resolutions shall be adopted by: (1) a majority vote of the NRBRC members present, provided that a quorum is present; or (2) by consensus of all members represented at the meeting; or (3) by consensus of the subcommittee members with final recommendations decided upon by all NRBRC members through a majority vote (See Article III, Section 5). [NRBRC NEEDS TO DECIDE HOW THEY WANT TO MAKE DECISIONS AS A GROUP]. A record of any resolutions adopted by the NRBRC shall be kept in the DEM Public Involvement Office, Washington, NC.

## **Section 2: Representing NRBRC Positions in Public Forums**

In the event that an individual NRBRC member wishes to represent the views or position of the NRBRC in a public forum, they must notify the NRBRC Chair and DEM staff in advance of the scheduled event.

## **ARTICLE VII**

### **By-Laws and Amendments**

#### **Section 1: Initiation**

These by-laws and any amendments thereto shall be effective immediately upon adoption.

#### **Section 2: Amendments**

Proposed amendments to the by-laws shall be provided to the members at least 30 days prior to the meeting at which they will be acted upon. Any amendments to these by-laws must be approved by a two-thirds majority vote of the members. Members who expect to be absent from the meeting at which the by-laws will be acted upon may provide a written communication of their vote on the proposed amendment to the by-laws. Such notification must be received at least 48 hours before the meeting where the amendments are scheduled to be acted upon.



January 25, 1996

Statement to EMC Water Quality Committee

by the

**Neuse River Advisory Council**

The Neuse River Advisory Council convened for the second time on Monday, January 22, 1996, at Smithfield, North Carolina. My name is Donna Wright, appointed to the Council to represent Johnston County as an at-large stakeholder. Two other members of the Council may also be present in the room. They are Sandra Riggs, Jones County Commissioner, and Terry Roland, Director of Water Resources for Durham City.

The staff of DEM informed us on Monday that the Committee would be taking comments from various interest groups at the meeting here today, and that the committee would welcome our comments, in particular on the proposed Interim Management Strategy for Nutrient Sensitive Waters of the Neuse River basin. We appreciate the concern of the committee that our Council be afforded this opportunity at this time.

The members of the Council present at Monday's meeting have authorized me to present the following statements on their behalf.

First, the Neuse River Council reaffirms that we understand the importance of our role as a citizen's advisory group. We have not yet had the opportunity to organize our Council into functional working groups. We do understand the call for some interim strategy, but feel we need more time and organizational resources to make an independent assessment of the basin-wide situation before we can make any specific recommendations or comments.

Therefore, we agree that at this time, the Council can neither confirm nor condemn any aspect of the Interim Strategy Draft Plan, as it was presented to us.

However, we do request that the timetables of various groups be coordinated with us, to the extent possible, so that the Advisory Council can become a meaningful partner in the larger process of restoring the health of the Neuse River Basin.

I, or the other members of the Council present, would be pleased to respond to any questions that the Committee might have.











Send Senate Select Committee  
Roster to.

And Preston - APEG Rept<sup>d</sup> on Waste Mgmt  
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Rep Greg - Oregon - afo - Gov



