

June 22, 2022

**GOVERNING RULES OF THE  
COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION (CDBG-MIT)  
CITIZEN ADVISORY COMMITTEE**

As Adopted on: June 22, 2022

**Section 1 - Name and Location**

The name of the organization is the Community Development Block Grant- Mitigation (CDBG-MIT) Citizen Advisory Committee (the “CAC” or “Committee” ).

The CAC may be contacted at the following address or email:

- North Carolina Office of Recovery and Resiliency (NCORR)  
PO Box 110465  
Durham, North Carolina 27709  
Attn: CDBG-MIT Citizen Advisory Committee
  
- [CAC@rebuild.nc.gov](mailto:CAC@rebuild.nc.gov)

**Section 2 - Purposes and Objectives**

As stipulated in 84 FR 45853, August 30, 2019, V.A.3.c., the purpose of the CAC is to solicit and respond to public comment and input regarding the North Carolina Office of Recovery and Resiliency’s (NCORR) mitigation activities and to serve as an on-going public forum to continuously inform CDBG–MIT projects and programs. Meetings shall be held in an open forum not less than twice annually in order to provide increased transparency in the implementation of CDBG–MIT funds.

Specific CDBG-MIT activities are set forth in the latest HUD-approved CDBG-MIT Action Plan.

**Section 3 - Duties**

The CAC will review existing and proposed CDBG-MIT program activities and provide feedback and input on program development and efficacy. Public comment at the meeting will be heard and considered by the CAC and shall be incorporated into meeting minutes.<sup>1</sup> The CAC will review the program, policy, production, and budgetary updates provided to the Committee on NCORR’s CDBG–MIT activities. **All input received by the CAC and the public will be considered by NCORR however NCORR will render the final decision in all CDBG-MIT policy, program, and budgetary matters. NCORR will respond to all formal written comments received.**

NCORR shall provide a CDBG-MIT Status Report to the Committee no later than two weeks before each bi-annual meeting. The report will include, at a minimum, the following information: CDBG-MIT program and budget updates; project information and status; Action Plan amendments, if any; and other relevant information. At least one NCORR representative will be available at each meeting to respond to questions the committee puts forth.

In the event that a CDBG-MIT Substantial Action Plan Amendment is considered between planned

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<sup>1</sup> For the purposes of this document, the term “minutes” will be synonymous with meeting transcript.

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biannual Committee meetings, the Committee will be provided a draft of the Substantial Action Plan Amendment no later than two weeks before the public comment period begins. The Committee shall hold a meeting during the public comment period to review the content of the Substantial Action Plan Amendment. This meeting may be in addition to the required biannual meetings. Such meeting must be scheduled after the Draft Action Plan Amendment was provided to the committee in accordance with the official open public meeting requirements established in NC General Statutes §143-318.9 through 143-318.18.<sup>2</sup>

The Committee's comments and suggestions on any substantial action plan amendment shall be submitted to NCORR in the form of a Committee Report or meeting minutes. NCORR will consider the Committee's comments in its review of all public comments received on the Substantial Action Plan Amendment and will include a response in its action plan submission to HUD. If the Committee has comments on the Substantial Action Plan Amendment, they shall be provided to NCORR within the public comment period.

If the Committee does not choose to provide formal comments on the proposed amendment during a CDBG-MIT Substantial Action Plan Amendment public comment period, NCORR will note in the amendment that the Committee did not provide a public comment on the proposed amendment.

#### **Section 4 – Existence**

The CAC will be in existence for the term of the CDBG-MIT grant or until the requirement to have a CAC is abolished or revised by the US Department of Housing and Urban Development, whichever is earlier.

#### **Section 5 - Conflicts of Interest**

CAC members and nominees to the CAC must abide by the CAC's Conflict of Interest Policy in Appendix A. If a CAC nominee or CAC member has a conflict of interest, they may not become a member or continue as a member of the CAC, respectively.

If a CAC member is aware of an actual or potential conflict of interest, even if not the member's own, the member has a duty to report that conflict of interest. CAC members must report the conflict of interest (potential or actual) to NCORR.

#### **Section 6 - Committee Members: Number, Terms, and Composition**

The CAC shall be composed of no more than seventeen (17) voting members nominated as follows.

##### **Nominated Members - Initial Committee:**

The initial committee composition is comprised of up to 17 voting members, but no less than eleven (11) voting members, nominated by the State Disaster Recovery Task Force's Housing Recovery Support Function Group (RSF). One-half of the committee will have twenty-four (24) month terms and the other half will have thirty-six (36) month terms. Members may choose to remain on the CAC for two consecutive terms. Term length of the initial members will be assigned at random. New members to the CAC will assume the same term length as their predecessor.

A majority of the members shall be those persons living or working in areas defined by HUD as

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<sup>2</sup> [Chapter 143 - Article 33C \(ncleg.net\)](#)

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Most Impacted and Distressed (MID)<sup>3</sup> by Hurricanes Matthew and/or Florence and should be representative of the geographic, racial, and socio-economic diversity of North Carolina. Remaining members of the Committee should include technical and relevant industry representation. Because this committee is tasked with providing citizen input on NCORR's mitigation activities, there will be no formal government representation on the committee. Members may hold a position of public trust but their responsibility to that position/office is separate and apart from their commitments to the committee. Nominees with a Conflict of Interest as determined by NCORR will be excluded from further consideration for membership.

**Subsequent Membership - Vacancies and Turnover:**

Any interested individual or organization is eligible to submit a proposal for nomination to the Housing RSF. Nominations will be compiled and reviewed by the Housing RSF, and nominees without a conflict of interest will be forwarded to the CAC for election. The list of nominations will be provided to the CAC at least fifteen (15) days prior to a CAC meeting for consideration.

**Removal of Committee Members:**

A member who has not participated for two consecutive bi-annual meetings will be terminated. Members who have requested resignation will be removed from membership effective as of the date of the member's request. Any member found to have a conflict of interest and who has not resolved the conflict within a specified timeframe, shall be removed from membership.

**Section 7 - Meetings and Procedural Rules**

The CAC, a "public body," and NCORR will adhere to the requirements in NC General Statute § 143-318.9 through 143-318.18 regarding official meetings of public bodies, including public notice and meeting minutes requirements. Robert's Rules of Order shall govern the conduct of all CAC meetings and the conduct of business.<sup>4</sup>

The CAC is required to meet twice annually. The Committee may decide to hold up to two additional "special" meetings each year, which will include meetings to review any draft substantial amendments to the CDBG-Mitigation Action Plan (see Section 3 above) for a total of up to four (4) meetings annually. A special meeting may be called by the Committee Chair, or upon a majority vote of the membership. All special meeting notices shall state the nature of the meeting in the notice.

All CAC meetings scheduled by the Committee will require at least thirty- (30) day advance notice to NCORR. NCORR will provide a minimum of two-week's notice to the public of all CAC meetings. The meeting schedule for the two required meetings will be posted by NCORR on the ReBuild NC CDBG Mitigation website and be kept on file with the North Carolina Secretary of State when meeting times, locations, and other logistics are decided, and updated as needed.

The NCORR Communications team will assist the CAC in making all CAC meetings open and accessible to the public, through livestreams, call-in lines, and/or web conferencing technology. This will include providing American Sign Language (ASL) interpretation and Spanish translation/CART (Communication

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<sup>3</sup> The following counties are defined as HUD MID counties: Bladen, Columbus, Cumberland, Edgecombe, Robeson, Wayne, Carteret, Craven, Duplin, Jones, New Hanover, Onslow, Pender, Scotland, and Pamlico.

<sup>4</sup> Robert's Rules of Order Simplified: [Microsoft Word - Roberts Rules of Order - Simplified.docx \(cornell.edu\)](#)

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Access Real Time Translation) as appropriate. Transcripts of the meeting will be provided in English and Spanish and will serve as the minutes of the meetings. If meetings are held in person, NCORR will assist the CAC in securing a public venue.

**Section 8 – Quorum and Majority**

Virtual or in-person attendance by one-half plus one of the voting members shall constitute a quorum. For the purposes of voting, a majority is defined as votes from one-half plus one of the members present and voting (presence but abstention in voting will be used to meet quorum only).

**Section 9 – Committee Leadership**

The elected leadership for the CAC will be a Committee Chair and Vice Committee Chair who shall be elected by the committee at the first meeting for a term of two years. Leadership positions shall hold office until a successor is appointed or elected.

**Duties of the Committee Chair (Chair):**

The Committee Chair shall preside at all meetings of the Committee and ensure that the duties of the committee are carried out in a timely manner. The Committee Chair is responsible for coordinating with NCORR to ensure all meetings are held in accordance with the relevant statutes and regulations.

**Duties of the Vice Committee Chair (Vice-Chair):**

In the absence of the Chair, the Vice Committee Chair shall preside at any meeting of the Committee and otherwise perform the duties of the Chair. In the event that the Committee Chair position shall become vacant for any reason, the Vice-Chair shall assume the duties of the Chair until the next meeting of the committee, at which time a successor Committee Chair shall be elected to complete the unexpired term. In the event the Vice-Chair position becomes vacant for any reason, the Committee Chair shall select a member to fill the vacancy until the next meeting, at which time a successor Vice-Chair shall be elected to fill the unexpired term.

The Committee Secretary is a non-elected leadership position, staffed by an NCORR staff person. This position is a non-voting member of the CAC and does not count towards the number of Committee members.

**Duties of the Committee Secretary (Secretary):**

The Secretary shall be responsible for the reviewing and editing the minutes of all meetings. Once approved by the Secretary, the minutes will be forwarded by the Secretary to the Committee members and NCORR. NCORR will post the approved meeting minutes on the ReBuild NC CDBG Mitigation website. The minutes of the meeting and any Committee Reports will serve as the primary records of the committee's recommendations.

This position is also responsible for developing any correspondence from the CAC, and written comments or Committee Reports made by the CAC. The Secretary will respond to any questions or correspondence addressed to the CAC. Written comments or a Committee Report must be approved by a simple majority of committee members prior to submission to NCORR. Once the comments or approved report is submitted to NCORR, it will be posted by NCORR on NCORR's ReBuild NC Mitigation website, along with a recording and transcript of the relevant meeting.

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**Section 10 - Method of Amending Governing Rules**

To ensure that proposed amendments do not conflict with the requirements in NC meeting laws or HUD regulations, the following process will be followed:

1. The text of the proposed amendment shall be presented in writing to the membership. A majority vote of the members present at a meeting where there is a quorum is required to approve that the proposed amendment proceed in the review process.
2. If the amendment is approved by the CAC for further review, the Committee Chair will notify the Secretary of the proposed amendment. The Secretary and other relevant NCORR staff will review the proposed amendment to ensure that it conforms to applicable statutes and regulations and inform the CAC in writing of its determination. If NCORR determines that there are no impediments to the proposed amendment, the Secretary will email a copy of the proposed amendment with NCORR approval to the membership and the amendment will be considered adopted. If NCORR suggests revisions to the amendment, it shall so advise the CAC and the Secretary will email a copy of the proposed amendment with NCORR's comments to the membership for consideration by the CAC at the next meeting. If NCORR determines that the proposed amendment conflicts with statutory or regulatory requirements, it shall so advise the CAC. Proposed amendments are required to be provided to NCORR at least thirty (30) days in advance of a scheduled meeting.

Adopted on: June 22, 2022



Mayor Hardy, Committee Chair

**Maggie Battaglin**

Digitally signed by Maggie Battaglin  
Date: 2022.06.23 07:53:19 -04'00'

Maggie Battaglin, Secretary

6/23/2022

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APPENDIX A

**Conflict of Interest Policy and Declaration for the Citizen Advisory Committee**

A conflict of interest will exist if a member of the CDBG-MIT Citizen Advisory Committee (the CAC or Committee):

- Engages in an activity that conflicts with the intent and purpose of the CAC;
- Performs/ed any function related to the administration or provision of services under a program administered by the North Carolina Office of Recovery and Resiliency (NCORR) including but not limited to those funded by the State Disaster Recovery Act Funds, Community Development Block Grant (CDBG) – Disaster Recovery, CDBG-Mitigation, or CDBG-Coronavirus (including US Treasury funds). Persons who have or may receive funding or a benefit under these funding sources will be considered to have a conflict of interest; or
- Has access to information or the ability to influence Committee proceedings which could lead to a personal benefit, or to the benefit to a related party or organization. A related party is defined as any familial, or organizational relationship, formal or informal.

Prospective committee members will be asked to review the above policy and sign one of two statements below, indicating that they would like to have a conflict of interest determination or that they have no conflict of interest and will abide by the policy. Nominees to the CAC will be asked to indicate whether they have a conflict after they are considered for membership by the Disaster Recovery Task Force’s Housing Recovery Support Function Group (RSF).

Existing members of the CAC are required to reveal any potential conflict of interest that arises over the term of their membership, which will be reviewed and determined by NCORR. If a conflict of interest is found to exist, that member will have an opportunity to cure the conflict within a predetermined period of time or shall be removed as a member from the Committee.

***Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.***

Check one box below that applies to your situation and provide your printed name and signature

I, Marcel D. [unclear] [unclear] (print name here), declare that to the best of my knowledge, I have no existing conflict of interest and will abide by this Conflict of Interest policy.

[Handwritten Signature]  
Signature

6/23/2022  
Date

I, \_\_\_\_\_ (print name here), would like my nomination or membership reviewed by NCORR to determine if I have a conflict of interest.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date