

February 23, 2026

To: The Mayor of North Topsail Beach and  
The North Topsail Beach Board of Alderman

Subject: Proposed Rules of Procedure

Mr. Mayor and Members of the Board,

On December 6, 2021, the Board of Alderman approved and adopted “Suggested Rules of Procedure for North Topsail Beach Board of Alderman.” On January 7, 2026, the Board was presented with updated proposed rules of procedure. These updated rules incorporate procedural changes as well as statutory ones.

During the January 7 meeting, the Board requested a redlined version of the 2021 rules with the changes proposed by the updated rules of procedure. Attached please find a copy of the same. Also attached is a clean copy of the updated proposed rules.

As you will see, the redlined version is rather convoluted and difficult to follow. Naturally, and unfortunately, that is unavoidable. In order to provide some clarity, however, below please find some highlights of the changes contained in the updated proposed rules as compared to the 2021 Rules.

1. Regular meetings

- a. 2021 Rules: The council shall hold a regular meeting on the first Thursday of each month... The meeting shall be held at the Town Hall Meeting Room and begin at 6:30 PM.
- b. Updated Rules: Regular meetings of the Board shall be held at Town Hall, located at 2008 Loggerhead Court, North Topsail Beach, North Carolina, and shall begin at 11:00 a.m. on the first Wednesday of the month.

2. Emergency meetings

- a. 2021 Rules: The mayor, mayor pro tempore, or any two (2) members may at any time call an emergency meeting of the Board.
- b. Updated Rules: The mayor, or three (3) members may at any time call an emergency meeting of the Board.

3. Cancellation of meetings

- a. 2021 Rules: Not addressed.
- b. Updated Rules: Meetings of the Board shall be considered cancelled upon a declaration of a state of emergency by the Mayor of the Town of North Topsail Beach pursuant to Article VI of Chapter 2 of the Town Ordinances.

4. Agenda preparation

- a. 2021 Rules: A request for an item of business to be placed on the draft agenda must be received by the town clerk at least two (2) working days before the date of the meeting; the agenda and the agenda package shall be furnished to each member at least twenty-four (24) hours before the meeting.
- b. Updated Rules: A request to have an item of business placed on the draft agenda must be received by the Town Clerk at least seven (7) working days before the date of the meeting; each Board member shall receive a copy of the proposed agenda and agenda package no later than three (3) days prior to each regular meeting.

5. Presiding officer

- a. 2021 Rules: The Mayor shall preside at meetings of the Board.
- b. Updated Rules: The Mayor shall preside at Board meetings if he is present, unless he becomes actively engaged in debate on a particular matter.

6. Appeals of procedural rules

- a. 2021 Rules: A member may appeal certain decisions made or answers given by the Mayor in accordance with Rule 31, Motion 1.
- b. Updated Rules: A decision by the presiding officer under any of the first three powers listed may be appealed to the Board upon motion of any member, pursuant to Rule 16, Motion 1. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

7. Roll call votes

- a. 2021 Rules: Not addressed.

- b. Updated Rules: A roll call vote shall be required for the following actions 1) Adoption of an ordinance; 2) Adoption of a written resolution; and 3) Upon the request of the Mayor, or at least three (3) other members of the Board.
8. Motions
- a. Motion to go into closed session citation
    - i. 2021 Rules: Not addressed.
    - ii. Updated Rules: The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting. A motion based on G.S. § 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. § 143-318.11(a)(3) shall identify the parties in each existing lawsuit about which the Board expects to receive advice during the closed session, if in fact such advice is to be received.
  - b. Motion to suspend the rules
    - i. 2021 Rules: The motion must receive votes equal to two-thirds of the Board's actual membership.
    - ii. Updated Rules: The motion must receive votes equal to a majority of the Board's entire membership.
9. Duty to vote
- a. 2021 Rules: A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to council members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to member), G.S. 160A-381(d) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member), or G.S. 160A-388(e)(2) (member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker). Questions about whether a basis for excusal exists should be directed to the city attorney.
    - i. G.S. §§ 160A-381 and 160A-388 have been repealed.
  - b. Updated Rules: A member may be excused from voting on a matter involving the member's own financial interest or official conduct. A member may also be excused from voting when prohibited from voting under G.S. § 14-234 (contract providing direct benefit to member or immediate family member), or G.S. §

February 23, 2026

Page 4 of 4

160D-109(a) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member).

10. Conflicts of interest

- a. 2021 Rules: Not addressed.
- b. Updated Rules: Comprehensive section on conflicts of interest (Rule 20).

The Board is, obviously, free to amend the updated rules as it sees fit. Please let us know if you have any questions or concerns. Thank you.