

BYLAWS OF
Brunswick County Juvenile Crime
Prevention Council

Revised
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ARTICLE I

Name and General Purpose

Section 1. Name

Brunswick County Juvenile Crime Prevention Council (JCPC)

Section 2. General Purpose (G.S. 143B-845)

The intent for the Brunswick County Juvenile Crime Prevention Council is to prevent juveniles who are at risk from becoming delinquent juveniles. North Carolina General Statute (143B-845) mandates that the Brunswick County Board of Commissioners appoint a local JCPC. The primary intent of the legislation is to develop community-based alternatives to youth development centers and to provide community-based delinquency, substance abuse, and gang prevention strategies and programs. Additionally, it is the intent of the General Assembly to provide non-institutional dispositional alternatives that will protect the community and the juveniles. These programs and services shall be planned and organized at the community level and developed in partnership with the State.

ARTICLE II

Membership, Terms of Appointment, Vacancies, Removal, JCPC New Member Orientation

Section 1 Membership (G.S. 143B-846)

North Carolina General Statute directs that the JCPC shall consist of not more than 26 members. The Brunswick Board of County Commissioners shall modify the JCPC membership as necessary to ensure that council members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members. The 26 members should include, if possible, the following:

1. The Local school superintendent, or that person's designee;
2. A Chief of Police in the county;
3. The Local Sheriff, or that person's designee;
4. The District Attorney, or that person's designee;
5. The Chief Court Counselor or that person's designee;
6. The Director of area mental health, developmental disabilities, and substance abuse authority, or that person's designee;
7. The Director of the county Department of Social Services, or consolidated human services agency, or that person's designee;
8. The County Manager; or that person's designee;
9. A Substance Abuse Professional;
10. A Member of the Faith Community;
11. A County Commissioner;
12. Two persons under age 18, one of whom is a member of the State Youth Council;
13. A Juvenile Defense Attorney;
14. The Chief District Court Judge; or a judge designated by the chief district court judge;
15. A member of the business community;
16. The local Health Director; or that person's designee;
17. A Representative from the United Way or other nonprofit agency;
18. A Representative of local parks and recreation program;

NOTE: Up to seven members of the public to be appointed by the County Board of Commissioners. The Board of County Commissioners shall modify the Council's membership as necessary to ensure that the Council members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members.

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Section 2 Terms of Appointment (G.S. 143B-847)

Members appointed by the Brunswick County Board of Commissioners shall be broadly representative of the County and shall be appointed for a two-year term. Members may be reappointed. One-half of the Council's membership shall assume their positions on even-numbered years while the remaining half shall

assume their positions on the odd-numbered years, thus affording continuity to the functions of the council.

Section 3 Vacancies (G.S. 143B-848)

Appointments to all vacancies shall be for the remainder of the former member's term. Upon vacancies on the Council, the Membership Committee Chair and Membership Committee will make recommendations to the Council for approval of a replacement(s) of the vacant seat(s) for a majority vote by the Council..

Section 4 Removal (G.S. 143B-848)

Members shall only be removed for misfeasance, malfeasance, or nonfeasance as determined by the Board of County Commissioners. A member may also be removed from the Council due to poor meeting attendance and/or lack of participation upon the recommendations from the Membership Committee Chair and Membership Committee for a majority vote of the Council.

1. Poor Meeting Attendance and/or lack of Participation:

Attendance is expected and required. Council members that have four consecutive meeting absences without written notice, will be recommended by the Membership Committee for removal from the council due to poor attendance. Each council member is to submit in writing via letter or email to the JCPC chair or coordinator their conflict for not attending a monthly meeting. A warning letter will be sent after two missed meetings, and then a final letter will be sent after the fourth absence terminating member to the JCPC.

Section 5 JCPC New Member Orientation

New JCPC member's orientation may be held in August but no later than September with the assistance of the JCPC Area Consultant.

ARTICLE III
Powers and Duties of JCPC

As set forth in NCGS 143B-851 the duties and powers of the Juvenile Crime Prevention Council are as follows:

1. Review annually the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs.
2. Develop and advertise a request for proposals (RFP) process and submit a written plan of action for the expenditures of juvenile sanctions and prevention funds to the Board of County Commissioners for approval. Upon the county's authorization, the plan shall be submit to the Division for final approval and subsequent implementation.

3. Ensure appropriate intermediate dispositional options are available and prioritize funding for dispositions of intermediate and community level sanctions for court adjudicated juveniles.
4. Perform the following functions on an ongoing basis:
 - a) Assess the need of juveniles in the community, evaluate the adequacy of resources to meet those needs, and develop or propose ways to address unmet needs.
 - b) Evaluate the performance of juvenile services and programs in the community. The Council shall evaluate each funded program as a condition of continued funding.
 - c) Increase public awareness of the causes of delinquency and of strategies to reduce the problem.
 - d) Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments.
 - e) Provide funds for services for treatment, counseling, or rehabilitation for juveniles and their families. These services may include court-ordered parenting responsibility classes.
 - f) Plan for the establishment of a permanent funding stream for delinquency prevention services
 - g) Develop strategies to intervene and appropriately respond to the needs of juveniles who have been associated with gang activity or who are at risk of becoming associated with gang activity.

ARTICLE IV **Elections of Officers**

Section 1 Elections of Officers (G.S. 143B-846)

The members of the County Council shall elect annually the chair and vice-chair.

All officers shall be elected by the Council during the meeting held in June of each year. All newly elected officers will begin their term and duties effective on the first day of the new fiscal year. All officers shall hold office for the term of one year, with a maximum of three consecutive terms. Members may be reelected to the Executive Committee after one term off of the committee before being reappointed. Any of the officers may be dismissed at any time during his or her term by a majority vote of the Council.

ARTICLE V **Duties of Office**

Section 1 Duties of Office

CHAIR

The Chair shall:

- a) Preside at all meetings of the Council;
- b) Enforce these Bylaws and see that all orders and resolutions of the JCPC are carried out;
- c) Perform all the duties incidental to his or her office, and which are required by law, and generally, to see that the Officers perform their duties;
- d) Present at each meeting of the Council a report of the condition of the business of the Council;
- e) Cause to be called regular and special meetings of the Council in accordance with these Bylaws;
- f) Execute conveyances, contracts and agreements as authorized by the Council;
- g) Perform and attend to other duties and functions as may be directed by the Board of Directors.

- h) Annually appoint Committee Chairs and membership.
- i) Present an annual report to the Board of Commissioners.

VICE-CHAIR

The Vice-Chair shall:

- a) Perform the duties of the Chair in the Chair's absence or disability; and
- b) Perform such additional duties and functions as may be directed by the Council.

SECRETARY/JCPC COORDINATOR

The Secretary/JCPC Coordinator shall:

- a) Record Meeting minutes
- b) Assist the Chair with any other duties as requested of the Chair.

ARTICLE VI

Conflict of Interest Policy

Section 1 Conflict of Interest Policy (NCGS 14-234)

- A) Each Council member must disclose in writing the existence, nature and extent of any potential or actual conflict of interest using the Conflict of Interest Disclosure Form (DJJDP 13 001c Form) at the beginning of each new fiscal budget year or upon notice of conflict of interest. This form is to be completed and filed with the JCPC Chairperson, the County Finance Officer, and the County Manager as soon as the conflict becomes known. The JCPC Chairperson has the discretion of either calling a meeting regarding the conflict of interest; or the real or perceived conflict shall be conveyed at the next scheduled meeting.
- B) Any member of the JCPC who may, through his or her agency, receive funds as a result of a motion before the Council, or may otherwise benefit financially from a motion before the Council, may have a conflict of interest between his or her role with that agency, and as a member of the Council, and may be prohibited from participating in the discussion, the motion, and likewise prohibited from voting on such motion.
- C) When such an item is the subject of a motion before the Council, and is opened for discussion, those members of the Council who acknowledge such a conflict of interest shall identify themselves and state their intention to abstain. Such members may be requested to leave the room during the deliberations and vote. If any member or members of the Council have removed themselves as a result of such conflict of interest related to a specific motion, it shall be the responsibility of the Chair to ensure that only such agenda item is discussed and acted upon in that person's absence.
- D) In the event a participating member of the Council perceives that a conflict exists with a member of the Council who has not voluntarily identified himself or herself, the Council member may bring such conflict to the attention of the Council and request that individual to abstain and to remove himself. If there is a dispute as to whether or not the circumstances present a conflict of interest, the Chair shall rule on whether or not the Council member in question has an actual conflict of interest and shall be permitted to vote and participate in the deliberations. The Chair shall have the option of ruling that the member whose vote is in dispute shall be entitled to vote

under challenge, such ballot and dispute to be resolved only in the event the challenged ballot is determinative of the outcome of the vote.

ARTICLE VII **Planning Process**

Section 1 Planning Process

The JCPC shall work toward the development of a comprehensive continuum of needed services for the juveniles in their community. The JCPC shall conduct and complete its planning process in December and no later than January 31st. The following is part of the planning process:

- A) Risk Factor Assessment: The JCPC shall identify and prioritize risk factors that increase the likelihood of delinquency, through the collection and analysis of community data.
- B) Resource Assessment: The JCPC shall identify existing resources and gaps in or barriers to needed services as they relate to County risk factors.
- C) Needed Services: The JCPC shall identify and prioritize needed services based on risk factors and resource assessments.
- D) Strategies and Outcomes: The JCPC shall establish goals for reducing or preventing delinquency and shall develop strategies to achieve desired outcomes.

ARTICLE VIII

Executive Committee, Membership/Nominations Committee, Funding Committee, Monitoring Committee, Community Assessment Committee, By-Law Committee

- a) The Executive Committee shall consist of the Chairman, Vice Chairman, past Chairman, and Secretary. The Executive Committee is empowered to act as necessary between meetings of the Council and to facilitate strategic planning and fiscal management issues. Among its duties the committee shall plan for establishment of permanent funding streams for delinquency prevention and prepare budget/fiscal reports to be approved by the Council and forwarded to the Department of Juvenile Justice and Delinquency Prevention.
- b) The Membership/Nominating Committee shall consist of a Committee Chair and at least two members appointed by the JCPC Chair and shall seek candidates to fill vacancies and evaluate effectiveness of JCPC composition, develop strategies to ensure JCPC membership is representative of persons able to ensure the JCPC mission and intent, and monitor attendance of membership.

- c) The Funding Committee shall consist of at least three members appointed by the Chair and duties include, but not limited to reviewing all programs that applied for Juvenile Crime Prevention Council funds through the advertisement of the Request for Proposal for Funding. Duties also include, but not limited to screening and evaluating program agreements and make recommendations to the council for funding effective programs. The Funding Committee shall conduct meetings in February, March and April and make recommendations to the council at no later than the April monthly meeting. The Committee Chair shall be responsible for arranging committee meetings and notifying agencies applying for Juvenile Crime Prevention Council funds.
- d) The Monitoring Committee shall consist of at least three members appointed by the JCPC Chair. The Chair of the Monitoring Committee and Monitoring Committee shall schedule and conduct the Monitoring of JCPC funded programs at least once per fiscal year, before January 31st. The Chair of the Monitoring Committee shall submit a written report to the Council of its monitoring findings of the JCPC Programs and present recommendations to the Council for a majority vote of approval.
- e) The Community Assessment Committee shall consist of at least three members appointed by the JCPC Chair. The Chair of the Community Assessment shall conduct meetings with its committee in assisting with collecting and gathering data of documentation of risk factors, documentation of services available to meet prioritized risk factors and assessment in gap issues and barriers to needed services; and documentation of prioritized needed interventions.
- f) By-Laws Committee shall consist of at least three members appointed by the JCPC Chair. Duties include reviewing the JCPC By-Laws annually and addressing any needs for changes and to ensure that By-Laws are in compliance to the JCPC Operations Policy of the Department of Juvenile Justice and Delinquency Prevention.
- g) Public Relations Committee shall consist of two members appointed by the JCPC Chair. This committee shall be responsible for JCPC promotional publicity in all aspects of the media, i.e. local newspapers, local radio stations, TV, etc. The committee will work with the various other committees of the JCPC and assist and support these committees in the promotion of their activities if requested.

The JCPC may appoint from their members or from among other persons as the Council sees fit, one or more ad hoc or advisory committees at any time. The members of such committees serve at the pleasure of the JCPC and shall advise and aid the Council. Each ad hoc committee is subject to approval of the JCPC, and its prescribed rules and regulations to conduct meetings and business.

ARTICLE IX

Regular Meetings, Special Meetings, Notice of Intentions to Attend, Quorum, Parliamentary Rules, Manner of Acting, Informal Action by Directors, Compliance with State Requirements

Section 1 Regular Meetings

The Council shall meet at least bi-monthly at times and dates designated by the Chair, through a written call of the majority of Council members, or upon resolution of the Council. The annual meeting of

the Council shall be held each year in June or at such other times as the Council may fix, for the purpose of electing directors and officers and for the transaction of other business.

- A. Frequency: The Council shall meet at least bi-monthly and more when necessary to work towards JCPC goals and to accomplish JCPC tasks.
- B. Open Meetings: As a Council of local county government (public body), the JCPC shall abide by the open meetings statutes (NCGS 143-318.9-18); therefore, public notice of JCPC meetings are required.
- C. Confidentiality: As a Council, confidentiality of all juveniles and their families shall be maintained. No juvenile receiving services from the Department shall be identified during a meeting.
- D. Record Keeping: The JCPC shall keep accurate minutes, either written or audio recorded, of all public meetings, including any closed sessions and provide copies to the Office of the County Manager.

Section 2 Special Meetings

The times, dates, and places of special meetings of the Council may be set at the call of the Chair, upon written call by the majority of Council members, or upon resolution of the Council. Notice shall be given by the usual means of communication with at least 24 hours' notice prior to a special meeting being called.

Section 3 Quorum

No official business can be conducted unless a quorum is present. A quorum shall be one half of the active membership plus one member. A majority vote of the quorum is required for the passing of a motion. A quorum may be established at any time of meeting. However, for the purposes of accepting the meeting agenda and prior meeting minutes and adjournment, a vote by the majority at the meeting is allowed for such purposes.

Section 4 Parliamentary Rules

All meetings shall be conducted in an open, orderly, and fair manner, and Robert's Rules of Order, as revised, shall apply to all deliberations.

Section 5 Manner of Acting

Except as otherwise provided by Bylaws or law, all matters before Council shall be decided by a majority vote of the members present at a meeting, at which a quorum exists.

Section 6 Compliance with State Requirements

So long as the Council manages/approves funding from the State of North Carolina, it shall conduct its operations, including its meetings, in a manner comparable to Article 33C of Chapter 143 of the North Carolina Statutes (the Open Meeting Law), and Chapter 132 of the North Carolina General Statutes (the Public Records Law). In compliance with the Open Meeting Law this council will give members of the public an opportunity to speak at our public meetings. However, the time allotment will be limited to three minutes per person, not to exceed a total of fifteen minutes. "The North Carolina Open Meetings Law gives "any person" the right to attend an official meeting of a public body, with exceptions for closed sessions discussed below. North Carolina law does not limit access to meetings to a specific category of people or a profession, such as "the traditional press." **Anyone** may attend. The right to attend official meetings does not include a right to comment or participate.

As a matter of practice, however, public bodies may give the public an opportunity to speak at meetings. The presiding officer of a public body may direct a person to leave a meeting if he or she interrupts, disturbs, or disrupts an official meeting. If the person creating a disturbance refuses to leave, the state may charge him or her with a misdemeanor.” 143-318.17. Disruptions of official meetings. A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor. (1979, c. 655, s. 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. 24, s. 14(c).)

ARTICLE X **Funding Policy**

Section 1 Funding Policy

- A. The JCPC shall develop and distribute a Request for Proposals (RFP) to solicit applications for funding no later than January 31st. The Request for Proposals shall include the following:
- a. Prioritization of risk factors
 - b. Prioritization of needed dispositional options
 - c. Application format and location (where it can be obtained)
 - d. Application deadline and submission details
 - e. Location where additional information and technical assistance can be obtained regarding questions about the RFP.
 - f. Total amount of available funds and matching requirements
- B. The JCPC Chair shall distribute the Request for Proposals to agencies and shall publish locally, allowing a minimum of 30 days from the first publication to the due date of application.
- C. Upon submission of the RFP by the deadline date, the JCPC Chair will forward all applications for funding to the Chair of the Funding Committee.
- a. The Funding Committee Chair will schedule Funding Committee meetings in February and/or March and/or April to evaluate the applications for funding.
 - b. The Funding Committee Chair shall contact the agency(s) that submitted applications for funding to attend a Funding Committee meeting to explain and discuss their proposal.
 - c. Upon recommendations of the Funding Committee, the Funding Committee Chair shall submit the Funding Committee’s recommendations to the JCPC for a majority vote by the Council at the April meeting. The Funding Committee Chair shall notify in writing agencies that have been recommended for funding for the upcoming fiscal year to attend the monthly JCPC meeting to do an oral/written presentations before the Council. The Funding Committee Chair shall submit written notification to those agencies that submitted applications for funding but were not recommended for funding advising them of their not being recommended for funding.
 - d. The JCPC Chair after approval by the full Council shall submit a funding proposal for the upcoming fiscal year to the Board of County Commissioners for their approval no later than April 30th.

ARTICLE XI **Appeal Process**

If a program representative disagrees with a funding decision they can appeal to the Executive Committee. For the appeal, the Executive Committee shall be composed of the following: Area Consultant, Chairperson, Vice Chairperson, Past Chairperson, and Secretary.

Upon hearing from the appellant if the committee feels there is good reason and/or probable cause the appeal will go before the County Commissioners.

For the appeal process if any member of the Executive Committee is associated with the agency that is appealing, they will be excluded in the decision making

ARTICLE XII
Agents, Representatives and Employees

The Council may appoint such agents, representatives and employees of the Council with such powers and to perform such acts or duties on behalf of the Council, as the Council may deem appropriate and in the best interest of the Corporation.

ARTICLE XIII
Period of Accounting and Reporting

The fiscal year shall begin on July 1 and shall end on June 30 of the next calendar year.

ARTICLE XIV
Amendments

Within the parameters of the NC General Statues which establish and define the JCPC the Council shall have power to make, alter, amend and repeal the Bylaws by affirmative two-thirds vote of the Council then serving, provided that such action is proposed at a regular or special meeting of the Council and adopted at a subsequent regular or special meeting, except as otherwise provided by law. The text of all amendments and charges shall be included in the notice of each such meeting.

ARTICLE XV
JCPC Certification Process

Section 1 JCPC Certification

1. The JCPC shall submit a request for Certification annually. The JCPC Certification (Form JCPC/OP 002) provides verification that the JCPC has completed its legislatively mandated responsibilities including:
 - a) Membership: Positions are filed and appointed by the County Commissioners with staggered terms;
 - b) By-Laws: The JCPC has current by-laws;
 - c) Policies and Procedures: The JCPC has written policies and procedures for funding of programs and conflict of interest;

- d) Leadership: The JCPC has a Chair and Vice-Chair at a minimum;
 - e) Minutes: Meeting minutes are recorded and maintained;
 - f) Meetings: The JCPC meets at least bi-monthly and a majority of the members is required to conduct business;
 - g) Planning: The JCPC completes or updates the annual plan and presents it to their County Commissioner;
 - h) Program Monitoring and/or Evaluation: The JCPC monitors and evaluates all funded programs;
 - i) Media and Request for Proposals: The JCPC communicates through the media and by written Request for Proposals the availability of funding to all public and private non-profit agencies and interested community members that serve at-risk children and their families.
 - j) Public Awareness: The JCPC announces meeting in advance to the public and makes the community aware of the results of the planning process;
 - k) Risk Factor Assessment: The JCPC documents prioritization of risk factors;
 - l) Comprehensive Strategy Assessment: The JCPC documents services available to meet prioritized risk factors and an assessment of gaps issues and barriers to needed services;
 - m) Needed Interventions: The JCPC documents the prioritized, needed interventions;
 - n) Outcomes and Strategies: The JCPC reviews juvenile justice data and develops specific outcomes and strategies for implementation;
 - o) Funding: The JCPC Annual Plan includes the Funding Plan and descriptions of funded and non-funded programs.
2. To apply for certification, each JCPC shall complete an Application for Certification, which is available to through the Department of Juvenile Justice and Delinquency Prevention.
 3. The completed Application for Certification shall be signed by the Council's Chairperson, and the Chairperson of the Board of County Commissioners or County Finance Manager and forwarded to the Department no later than June 30 of each year.