

**AUGUSTA-RICHMOND COUNTY  
CITIZENS' SMALL BUSINESS ADVISORY BOARD  
BYLAWS**

**ARTICLE I. PURPOSE AND MISSION**

The purpose of these rules is to establish a consistent and uniform procedure governing the actions of the Augusta-Richmond County Citizens' Small Business Advisory Board (hereinafter "Advisory Board"). The Mission of the Advisory Board is to review and advise the Mayor and Commissioners on guidelines and policies for contract opportunities for small businesses. The Advisory Board will also advise the Mayor and County Commissioners on employment practices, policies and procedures related to local and small businesses.

The purpose of the Advisory Board is as follows:

1. To identify and evaluate issue distinctive to Augusta, Georgia Businesses;
2. To provide recommendations to the Augusta-Richmond County Commissioner and other government officials concerning enhancements to the County's procurement activities and practices;
3. To enhance communication with, increase opportunities for, improve the economic viability of, and enrich the overall business climate for local small businesses within Augusta, Georgia; and
4. To promote to the greatest extent possible, to ensure local small businesses have the maximum opportunity to compete for and participate in all contracts and subcontracts funded by or through Augusta, Georgia government.

**ARTICLE II. AUTHORITY**

**Section 1.** As a part of the legislation that created the Augusta-Richmond County consolidated Government, it was decided that the Commission-Council would establish a Citizens' Small Business Advisory Board to advise the Commission-Council of matters related to this ordinance, and to meet with local small businesses, to review and provide input as to the issues in program administration.<sup>1</sup> Members are appointed by the Board of commission and the Richmond County Legislative Delegation. A list of the appointees is maintained in the Clerk of Commission's Office and is incorporated herein by reference.

Consolidation Act, Ga. Laws 1995, p. 3670 (d).

**Section 2.** On June 30, 2011 Augusta, Georgia updated its Local Small Business Opportunities Program to increase effectiveness. See Ordinance No. 7271. This program, at § 1-10-131 specifically provides for the Citizen's Small Business Advisory Board.

**ARTICLE III. MEMBERS, OFFICERS, AND DUTIES**

**Section 1. General.**

The Advisory Board shall consist of thirteen (13) members. Ten (10) of whom shall represent each of the ten voting districts in the Augusta-Richmond County. These ten (10) members shall be

---

<sup>1</sup> Revised 7/14/2015

nominated by the Augusta-Richmond County Commissioner representing District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, and District 10 and shall be confirmed by the Augusta-Richmond County Commission. An additional two (2) at-large State Representative members shall be appointed by the Richmond County Legislative Delegation. An additional one (1) member shall be appointed by the Mayor. All members of the Advisory Board shall be residents of Augusta-Richmond County.

The Advisory Board may also include ex-officio, non-voting representatives to include Augusta-Richmond County DBE Department personnel and an attorney from the Augusta Law Department.

**Section 2. Chair.**

A Chair shall be elected by the Advisory Board from among its members for a one (1) year term. The Chair shall serve as such for no more than four (4) consecutive terms.

- A. The Chair shall preside over the Advisory Board and shall have the right to vote.
- B. The Chair shall decide all points of procedure, subject to these bylaws and the latest edition of Roberts Rules of Order, unless otherwise directed by the majority of the Advisory Board in session at the time.
- C. The Chair shall appoint any committees found necessary to investigate any matters before the Advisory Board.

**Section 3. Vice Chair.**

A Vice-Chair shall be elected by the Advisory Board from among its members in the same manner for a one (1) year term. The Vice-Chair shall serve no more than four (4) consecutive terms.

- A. The Vice-Chair shall serve as “Acting Chair” in the absence of the Chair or when that officer has to refrain from participation because of a conflict of interest and shall have the same powers and duties as the Chair.
- B. The Vice-Chair shall have the right to vote.
- C. Upon the resignation or disqualification of the Chair, the Vice-Chair shall assume the chairmanship for the remainder of the unexpired term or until a new Chair is elected.

**Section 4. Secretary.**

A staff member of the Augusta-Richmond County Disadvantaged Business Enterprise Department shall serve as secretary to the Citizens’ Small Business Advisory Board.

- A. The Secretary shall be responsible for keeping records of board actions, including overseeing the taking of minutes at all board meetings, sending out meetings announcements, distributing copies of minutes and the agenda to each board member, and assuring that Advisory Boards records are maintained.
- B. The Secretary shall be responsible for notifying the Clerk of Commission and the general public with advance notice of all meetings of the Advisory Board in accordance with the Georgia Open Meeting Act.<sup>2</sup>

---

<sup>2</sup> OCGA §§ 50-14-1 et seq.

Notice of Regular Meetings – Notice of the time, place, and dates of regular meetings(e.g., the Advisory Board’s monthly meeting) must be made available to the general public and be posted in a conspicuous place at the regular meeting place of the agency and must be posted on Augusta’s website. For any meeting that is not conducted at the regular meeting place or time, Augusta, Georgia, through its Advisory Board must post the time, place, and date of the meeting for at least (24) hours at the regular meeting location and give written or oral notice at least (24) hours in advance of the meeting to the legal organ of the county or a newspaper with equal circulation. In counties in which a legal organ is published less than four times per week, the time, place, and date of the meeting must be posted for at least (24) hours at the regular meeting location and, upon written request from broadcast or print media in the county, notice must be provided to the requesting media outlets (24) hours in advance of the meeting. Upon written request from any local broadcast or print media outlet, a copy of the meeting’s agenda must be provided by fax, by e-mail, or by mail through a self-addressed stamped envelope provided by the requester.

Notice of Special/Emergency Meetings – For emergency meetings(i.e. meetings with less than 24 hours notice), the meeting notice must include the date, time and location of the meeting, the subjects expected to be covered at the meeting and the reason for meeting with less than 24 hours notice.<sup>3</sup> Notice must be provided to the county legal organ or newspaper with greater circulation in the county than the legal organ. Notice must also be provided by telephone, fax or e-mail to any broadcast or print media outlet whose place of business and physical facilities are located in the county when such media outlets has made written request for such notice within the previous calendar year. The Secretary of the Advisory Board shall ensure that the Clerk of Commission and the public are aware of all special called meetings or emergency meetings of the board.

**Section 5. Elections.**

Election of the Advisory Board officers shall be held during the regular meeting in December, with newly elected officers taking office in the following January.

**Section 6. Terms of Appointment.**

Each Advisory Board member shall serve at the pleasure of their appointing authority and can be removed from the Advisory Board by the appointing authority, with or without cause, at any time. For all members appointed by Commissioners or the Mayor, the term of membership shall coincide with the appointing Commissioners or Mayor’s term of office. The terms of all other Advisory Board members shall be four (4) years from the date of appointment. Members of the Advisory Board shall not receive a salary unless such is provided for by the Augusta, Georgia Commission.

**Section 7. Attendance at Meetings and Removal of Members.**

Faithful and prompt attendance at all meetings of the Advisory Board, and conscientious performance of the duties required of members, shall be a prerequisite to continuing membership on the Advisory Board. Should a member fail to attend three (3) consecutive regular meetings of the Advisory Board, and should there be no adequate excuse for such absences, the Advisory Board, by a majority vote may remove such person from membership and shall recommend to the appointing authority that a vacancy exists and that

---

<sup>3</sup> OCGA § 50-14-1 (d)(3)

the vacant position be filled in an expeditious manner. The determination as to what constitutes “adequate excuse” shall be determined by a majority vote of the Advisory Board.

**Section 8. Conflict of Interest Members.**

In connection with any actual or possible conflict of interest, the interested board member must disclose the existence of the conflict and be given the opportunity to disclose all material facts to the Advisory Board. At any time the Advisory Board is to undertake any official action which will affect a monetary or other vested interest of a member of the Commission, that Advisory Board member shall reveal the existence of that interest to the Commission at the next meeting after the member becomes aware of the conflict of interest. The Advisory Board member shall abstain from voting on that matter.

**Section 9. Resignation.**

Advisory Board members may resign by submitting a written resignation to their appointing authority, copying the Chair of the Advisory Board and the Clerk of Commission.

**Section 10. Vacancies.**

In the event that there are unfilled vacancies on the Advisory Board for any period of time, an Advisory Board consisting of six (6) or more members may exercise all powers delegated to the Advisory Board until the vacancies are filled.

**Section 11. Meetings.**

Meetings will be conducted according to the latest version of Roberts Rules of Order, except as modified by these by-laws.

**ARTICLE IV. MEETINGS**

**Section 12. Regular Meetings.**

Regular meetings of the Advisory Board shall be held on the second Tuesday of each month at 11:00 A.M. located at the Fifth (5<sup>th</sup>) Floor Conference room or the Municipal Building, 535 Telfair Street, Augusta, Georgia, or in any other designated meeting place, provided the location is specified in all notices required by law. If a regularly scheduled meeting occurs on a legal holiday, the Chair, with the concurrence of a majority of the Advisory Board, may set an alternate date for the meeting. The Secretary of the Advisory Board shall have the responsibility of notifying the Clerk of Commission and others of the date, time and location of meetings of the Advisory Board as required by the Georgia Open Meetings Act.<sup>4</sup>

**Section 13. Special Meetings.**

Special meetings of the Advisory Board may be called at any time by the Chair. At least forty-eight (48) hours notice of the time and place of special meetings shall be given to each member of the Advisory Board and the Secretary. The Secretary shall have the responsibility of notifying the Clerk of Commission and others as required by the Georgia Open Meetings Act.

---

<sup>4</sup> OCGA §§ 50-14-1 et seq.

#### **Section 14. Cancellation of Meetings.**

Regularly scheduled meetings can be cancelled or postponed whenever there is no business for the Advisory Board to consider. The Chair may dispense with a regular meeting by giving notice to all board members not less than twenty-four (24) hours prior to the time set for the meeting.

#### **Section 15. Adjourned Meetings.**

Should the business before the Advisory Board not be completed, the Chair may adjourn the same from day-to-day until the matters before the Advisory Board are completed.

#### **Section 16. Open Meetings.**

Unless otherwise determined in advance, all meetings of the Advisory Board will be open to the public. Once an open meeting has begun, it will not be closed for any reason. All materials brought before, or presented to, the Advisory Board during the conduct of an open meeting, including the minutes of the proceedings of an open meeting, will be available to the public for review or copying at the time of the scheduled meeting.

Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may at the determination of the Chair, offer oral comment at such meeting. Comments will be limited to five (5) minutes. The Chair may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement will not that oral comment during a meeting, in which case the meeting announcement will note that oral comment from the public is excluded and will invite written comment as an alternative. Members of the public may submit written statement to the Advisory Board at any time.

#### **Section 17. Agenda, Summary and Minutes.**

The agenda for each meeting shall be prepared by the Secretary at the direction of the Chair. The normal order of business at each meeting shall be: (1) Determination of Quorum, (2) Approval of Minutes of the Previous Meeting, (3) Reports, (4) Old Business, (5) New Business, (6) Announcements, (7) Adjournment.

An agenda of all matters expected to come before the Advisory Board must be made available upon request and must be posted at the meeting site as far in advance as is practicable during the two weeks prior to the meeting.<sup>5</sup> If a particular issue is not included on the posted agenda it may still be considered by the board if it is deemed necessary to address it. The clear intent of this provision is to ensure that the public is informed of the matters that will come before the body.

Members of the public shall be allowed access to the meeting and must be allowed to make visual and sound recordings of the open portions of any meeting.<sup>6</sup>

A written summary of the subjects acted on and a list of the members attending the meeting must be prepared and made available within two (2) business days of the meeting.<sup>7</sup> Minutes of the meeting must be prepared and made publicly available after having been approved as official; such approval is to occur at the next regular meeting of the agency. The minutes must, at a minimum, contain the names of the members present at the meeting, a description of each motion or other proposal made, a record of who

---

<sup>5</sup> OCGA § 50-14-1 (e)

<sup>6</sup> OCGA § 50-14-1 (c)

<sup>7</sup> OCGA § 50-14-1 (e)(2)

made and seconded each motion, and a record of all votes included who voted for and who voted against each motion. It shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the persons voting against the proposal or abstaining. For meetings with less than (24) hours notice, the minutes must also describe the notice given and the reason for the emergency meeting.

**Section 18. Quorum.**

A quorum of the Advisory Board shall consist of a majority of the total number of members of the Advisory Board. For purposes of calculating a quorum, vacant seats shall not be considered. Where no quorum exists no official meeting can take place; no official action can take place; and no minutes are to be created.

**Section 19. Decisions of the Advisory Board.**

Decisions of the Advisory Board shall be by majority vote of the members present and voting (provided a quorum exists). Decisions may be made by voice vote unless any member requests a roll call vote.

**ARTICLE V. STAFF**

**Section 1.** The Advisory Board shall be administered by the staff of the Disadvantaged Business Enterprise Department.

**ARTICLE VI. AMENDMENTS**

**Section 1.** These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of two-thirds of the Advisory Board, provided that such amendment shall have first been presented to the membership in writing at a regular meeting preceding the meeting at which the vote is taken.<sup>8</sup>

---

Adopted January 13, 2009 by the ARC Citizen's Small Business Advisory Board