

**BY-LAWS  
ROWAN COUNTY  
JUVENILE CRIME PREVENTION COUNCIL**

**ARTICLE I: NAME AND PURPOSE**

**Section I: Name**

The name of the Council is the Rowan County Juvenile Crime Prevention Council hereinafter referred to as Council.

**Section II: Purpose**

To establish minimum standards for the design and implementation of Juvenile Crime Prevention Council operations and to assist in the development of residential and non-residential, community-based, intervention and prevention programs for delinquent, undisciplined, and at-risk juveniles.

In addition, the Council advises the Rowan County Board of Commissioners as to the development of community-based alternatives to court-imposed incarceration and provision of community-based delinquency and substance abuse prevention strategies and programs for juveniles.

Specific duties of the Council include:

- Assess the needs of juveniles in the community, evaluate the adequacy of resources available to meet those needs and develop or propose ways to address unmet needs.
- Evaluate the performance of juvenile services and programs in the community, including the evaluation of each funded program.
- Increase public awareness of the causes of delinquency and of strategies to reduce the problem.
- Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments.
- Provide funds for services for treatment, counseling or rehabilitation for juveniles and their families, including court-ordered parenting responsibility classes.
- Plan for the establishment of a permanent funding stream of delinquency prevention services.
- Ensure accountability to the Division of Juvenile Justice (DJJ) through submissions of its plan, certification and other requested reports.
- Ensure effective meetings to accomplish the work of JCPC.
- Meet statutory membership requirements.
- Adopt and regularly review by-laws and policies.

**ARTICLE II: MEMBERSHIP**

**Section I: Members**

The Council shall be appointed by the Rowan County Board of Commissioners and shall consist of no more than 26 members. Council members should include, if possible, the following citizens of Rowan County:

- Rowan County School Superintendent or designee
- Chief of Police or designee
- Rowan County Local Sheriff or designee

- Rowan County District Attorney or designee
- Rowan County Chief Court Counselor or designee
- State assigned Managed Behavioral Health organization(Local Management Entity/Managed Care Organization (LME/MCO), or designee
- Director of the Rowan County Department of Social Services or Director's designee or Consolidated Human Services Agency or Designee
- Director of the Rowan County Health Department or Director's designee
- Rowan County Manager or Manager's designee
- A Substance abuse professional
- A Member of the faith community
- A County Commissioner
- Two Persons under age 21(State Youth Council Representative, if available) or one person under the age of 21 years and one member representing interests of families of at-risk juveniles.
- Juvenile defense attorney
- Chief District Court Judge or designee
- A Member of the business community
- A Representative from a United Way or other nonprofit agency
- A Representative of a local parks and recreation program
- Up to seven (7) members of the public to be appointed by the Rowan County Commissioners
- All program providers receiving JCPC funding shall serve as ex-officio members without voting power. Ex-officio members are encouraged to attend each meeting and to be available to provide information to the Council as requested.

The Council's membership shall reflect the racial and socioeconomic diversity of the community. Members of the Council shall receive no compensation. New Council members are provided training on the organizational structure, purpose, duties and responsibilities of the Council.

## **Section II: Terms**

Each member of the Council shall serve two - 2-year terms. Terms of appointment shall be for the fiscal year July 1 – June 30 unless filling another member's term.

In exceptional cases, a member may be appointed for one additional two (2) year term, but only upon the approval of the Council and the Rowan County Board of Commissioners.

## **Section III: Vacancies**

Appointments to fill vacancies shall be for the remainder of the former member's term.

## **Section IV: Resignation**

A member of the Council may resign by giving written notice to the Chair of the Council. A resignation shall take effect at the time received by the Chair unless another time is specified therein and acceptance of a resignation shall not be necessary to make it effective.

# **ARTICLE III: MEETINGS**

## **Section I: Regular Meetings**

The Council shall conduct meetings in such a way that will ensure accountability to the community, goal attainment and community participation.

Regular meetings of the Council shall be held no less than **bi-monthly** **six times a year** on dates designated at the first meeting of each new year. The routine location of regular meetings will be established at that time. Council members will be notified by the Secretary of any change in meeting locations at least one (1) week prior to the meeting.

The Council operates under the NC Open Meetings Law (Article 33C). All members shall be notified of all meetings through email or by phone at least five (5) days prior to the meeting. All official meetings and committee meetings are open to the public. All notices are posted on the County website prior to such meeting and in accordance to the NC Open Meeting Laws.

Members who cannot attend the Council meeting in person shall be allowed to participate and vote via telephone conference, video conference, or additional methods approved by the State.

## **Section II: Special Meetings**

The Chair may call such special meetings as deemed necessary to carry out the duties of the Council. Notice of special meetings shall be given to all council members through email or by phone at least three (3) days in advance.

## **Section III: Voting**

Each member shall be entitled to one vote on each matter submitted to the Council for a vote. Voting on matters shall be by voice or show of hands, unless more than half of the members present at a meeting where there is a quorum shall demand, prior to voting on any matter, a ballot vote on that particular matter. In that event, all ballots shall be signed by the member casting the vote, and shall be subject to public record.

Ex-officio members shall possess no voting power and may not participate in funding discussions. Ex-officio members may, however, be asked to provide information as requested.

Should the vote end in a tie, the proposed motion has failed to pass.

## **Section IV: Conflict of Interest**

Juvenile Crime Prevention Council (JCPC) members are Public Officers. N.C. Gen. Stat. § 14-234 requires that (1) No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law; (2) A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract; and (3) No public officer or employee may solicit or receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

Accordingly, no JCPC member or managing staff may receive directly or indirectly, any funds disbursed from the State of North Carolina, except for duly, authorized staff compensation and benefits, and reimbursement for expenses actually incurred in connection with the Council's business and in accordance with final approved grant agreements.

No member of the JCPC shall be deemed to benefit directly or indirectly from any contract or grant funded in whole or in part by State funds if he/she receives only the salary or stipend due to him/her in the normal course of employment with, or service to, said JCPC.

Council members shall not use their official affiliation with the JCPC to secure preferential treatment for any juvenile. Council members shall not use confidential information regarding juveniles or their families, JCPC agencies or other council members for personal gain or benefit. Council members must disclose a (potential) conflict of interest when the council member:

1. Is related to a program staff member;
2. Is related to another JCPC member;
3. Has/may have personal, financial, professional, and/or political gain at the expense or benefit of the JCPC, other than the benefit of therapeutic intervention for the juveniles and families served by JCPC funded programs;
4. Or a council member's family member participates in activities of, is a member of, or is an employee of a business entity that may be viewed as having direct or indirect influence over the JCPC's business;
5. Or a council member's family member may be viewed as having direct or indirect financial gain from personal or business investments/interest in real property held by that council member;
6. Received honorarium or other compensation outside of the scope of employment and operations that creates or appears to create bias;
7. Secured employment with a competing applicant for JCPC funding; and
8. Has a relationship other than professional with a JCPC funded program or applicant for funding, or any staff member or volunteer working for the program/applicant.

#### **Section V: Quorum**

Fifty-one percent of the current serving members shall constitute a quorum for the transaction of business.

#### **Section VI: Attendance**

Members are expected to attend scheduled meetings. Any member of the Council who has three (3) unexcused absences within one year, the member will be considered a non-active member and either subject to replacement or will not be recommended for reappointment.

The definition of "unexcused" is an absence for which a member does not contact the Chair or Secretary in advance and the definition of "excused" is an absence for which a member contacts the Chair or Secretary in advance with justifiable explanation. After three (3) unexcused absences, the Chair will communicate with the member to determine their continued interest. If the communication does not reach a satisfactory solution, the Council may recommend the termination of the individual(s)

#### **Section VII: Removal**

Members shall be removed for reasons consistent with the current policies of the Rowan County Board of Commissioners.

### **ARTICLE IV: OFFICERS**

#### **Section I: Personnel**

The Council shall elect a Chair, Vice-Chair, and Secretary annually at the first meeting of the fiscal year.

## **Section II: Election Terms**

Officers shall be elected annually by members of the Council for a term of one year and may succeed themselves.

## **Section III: Duties**

### *A. Chair*

The Chair shall supervise the management of the Council in accordance with the By-Laws, and shall perform all duties incident to the office of Chair and such duties as may be prescribed by the membership from time to time. The Chair shall preside over all meetings and shall appoint special committees.

The Chair will serve as the liaison with the Rowan County Board of Commissioners, DJJ and other groups or representatives that may be necessary and report on these activities to the Council.

### *B. Vice Chair*

The Vice-Chair shall assume the duties of the Chair in his/ her absence and perform such duties as assigned by the Chair and have the same powers and duties of the Chair when presiding. In the event that the Chair does not complete his/her term of office, the Vice-Chair may serve out the unexpired term of the Chair or until an election shall be held to elect a successor Chair.

### *C. Secretary*

The Secretary shall keep a record of the proceedings of the Council and be responsible for the minutes, including their distribution and approval by the Council. The Secretary shall handle such correspondence of the Council as is necessary. The Secretary shall give all notices required by law and by these By-Laws. The Secretary will maintain permanent record of the minutes and other important documents in manual form and shall make these records available to any Council member or Rowan County Board of Commissioner, if requested. Copies of the official minutes will be kept in the County Manager's office.

## **ARTICLE V: COMMITTEES**

The Council shall develop a committee structure that will allow the Council to meet the needs of the community while adhering to legislative mandates. Each Council member shall/should be appointed to at least one committee.

A written/oral report of all committee or recommendations shall be presented to the Council at the next regular or special meeting.

Each committee Chair or his/her designee shall be responsible for covering and presiding over such committee meetings as are necessary and shall be responsible for the notification of all meetings to include the date, time and place of said meeting.

## **Section I: Allocations Committee**

The committee membership shall come from the Council membership. The Chair shall appoint the Chair of the Allocation Committee. This committee will work with funding sources and service providers to help assure proper utilization of funds and will keep abreast of the availability of funding sources and resources.

Responsibilities include:

- Support the risk assessment and prioritize needed services as identified in the planning process.
- Review Request for Proposals. The Area Consultant will also review the proposals and offer training or assistance to the applicants.
- Attend prearranged site visits to all programs that are requesting funds and prepare written documentation of findings, if necessary.
- Make funding recommendations based on the findings of site visits, goals, objectives, priority risk factors, priority of services and needs and evaluation information as submitted by the service providers.
- Provide a full report to Council.

## **Section II. Monitoring Committee**

Monitoring and evaluating of JCPC funded programs is an on-going process and is the joint responsibility of both the Council and the Department. All service providers who receive JCPC funding will be monitored.

The committee membership shall come from the Council membership. The Chair shall appoint the Chair of the Monitoring Committee. This committee will be responsible for on-site monitoring/evaluating for program performance, outcome measurements, overseeing compliance to fiscal standards/accountability and providing access to technical assistance.

Responsibilities include:

- Monitor programs annually as outlined in the Year at a Glance.
- Meeting with program managers to review program agreements and revisions, if applicable, juvenile records, client tracking data and any financial records and accounting information and documentation of expenditures (including in-kind, if applicable.) Confidentiality must be maintained and followed.
- Interview staff, juveniles and/or parents.
- Complete JCPC Monitoring Report and provide a copy of report to the program manager in advance of submitting copy to the Council.
- Provide a full report to Council prior to any new fiscal year funding allocations.

## **Section III: Risk and Needs Committee**

The Risk and Needs Committee is provided data from DJJ to review and analyze to determine any trends in the data that would determine the need for specific services or intervention. Other community data may also be reviewed.

Responsibilities include:

- The committee shall identify and prioritize risk factors that increase the likelihood of delinquency, through the collection and analysis of community data.
- Shall identify existing resources and gaps or barriers to needed services as they relate to the risk factors.
- Shall identify and prioritize needed services based on risk factors and resources assessments.
- Provide a full report to Council.

## **Section IV: Nominating Committee**

The Nominating Committee will be responsible for maintaining council membership, recruiting new members and assisting in training new members. In addition, the Nominations Committee will also recommend nominees for officers each new fiscal year.

## **Section V: Other Committees**

The Chair may appoint other committees and subcommittees as deemed necessary to carry out the general purpose of the Council. Those committees may include, but not limited to the By-Laws Committee and Long-Range Planning Committee.

## **ARTICLE VI: GENERAL PROVISION**

### **Section I: Rules and Procedures**

Unless otherwise designated, the Chair will be the public spokesman for the Council. All media contacts will be referred to the Chair.

Any action taken by specific members on behalf of the Council is appropriate as long as there is prior approval from the Council.

Meetings shall be conducted in accordance with Robert's Rules of Order the latest edition thereof.

## **ARTICLE VII: FUNDING PROCEDURES/SCHEDULE**

In order to establish standard procedures and a timeline for the budgeting process, the Council shall adopt the following procedures consistent with the procedures and guidelines and responsibilities as outlined in the Year at a Glance.

The Request for Proposals (RFP) should be advertised / published locally through means deemed appropriate by the Council (county website, newspaper, etc.) immediately following the February meeting. All RFP's will run for 30 days or more from the date of first publication to the due date of the applications. Only governmental agencies, housing authorities and non-profits are eligible for JCPC funding.

The RFP should include the following:

- a. Prioritization of risks factors;
  - b. Prioritization of needed dispositional options;
  - c. Application format and location;
  - d. Application deadline and submission details;
  - e. Location where additional information and technical assistance can be obtained;
  - f. Total amount of available funds and matching requirements.
1. Funding request must be received by the Council Secretary by the posted due date. Applicants will be contacted and informed of the schedule for presentations at the March/April meeting.
  2. The Allocations Committee will meet and review the Request for Proposals to determine if they meet the proposed qualifications prior to submitting them to the full Council. The Area Consultant will also review the proposals and offer training or assistance to the applicants.
  3. The Allocations Committee will make funding recommendations. The Council shall determine funding amounts and vote on approved amounts. Those approved funding amounts will go before the Rowan County Board of Commissioners for final approval.
  4. The Chair will notify all applicants of the JCPC and Rowan County Board of Commissioners funding recommendations/approval.

5. If necessary, and to enable Council members to devote more time to the budgeting process, a special budget meeting shall be held on the Friday following the regularly scheduled March/April meeting.
6. All Program Agreements/Annual Funding Plan must be sent to the Area Office by mid-May or at other times as determined by DJJ.
7. If additional DJJ funds are available during the annual funding process, the JCPC shall either follow the same RFP process as for the annual allocation or shall choose from priorities not originally funded.
8. All JCPC funded programs shall adhere to all procedural, operational and fiscal requirements as mandated by DJJ.
9. Each service provider will maintain a certified sworn statement that its policies include a requirement for a criminal background check on all directors, employees (full and part time) and volunteers. Copies of criminal background and reference checks shall be made available for review by the Council or authorized individual, upon request.

Any criminal activity that would be a direct conflict with the service provider or with providing any service to juveniles shall eliminate an applicant and/or volunteer from any consideration.

#### **ARTICLE VII: AMENDMENTS**

These By-Laws may be amended or repealed and new By-Laws may be adopted by the Council. Any amended, repealed or new By-Laws will first be reviewed by the By-Laws Committee and then voted on by the Council. If approved, the By-Laws are then presented to the Rowan County Board of Commissioners for final approval.

*(Adopted March 13, 2002)*

*(ARTICLE III Section III amended November 12, 2003)*

*(Membership amended to reflect total membership according to G.S., January 14, 2004)*

*(Membership amended to reflect program providers as ex-officio members, October 13, 2004)*

*(ARTICLE III Section III amended October 13, 2004)*

*(ARTICLE III Section III amended February 8, 2006)*

*(Revised and Adopted by JCPC June 27, 2012) Approved by BOC July 2, 2012*