



*Military Affairs  
Commission*

## **NORTH CAROLINA MILITARY AFFAIRS COMMISSION BYLAWS**

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## **Article I: Establishment of Commission, Vision and Purpose**

**Section 1: Authority.** The North Carolina Military Affairs Commission (hereinafter the “Commission”) was originally established within the Office of the Governor by Senate Bill 613 on August 1, 2013.<sup>1</sup> The Commission was moved within the Department of Military and Veterans Affairs (“DMVA”) by House Bill 97, effective September 18, 2015<sup>2</sup> and codified under G.S. § 143B-1310 to 1314. Effective June 28, 2017, the General Assembly (GA) reaffirmed the independence of the Commission in the exercise of its powers, duties and functions including its management functions but assigned to the DMVA for administrative support and services by under Senate Bill 257<sup>3</sup>, amending G.S. § 143B-1310.

**Section 2: Name.** The name of the commission is the North Carolina Military Affairs Commission

**Section 3: Vision.** North Carolina is the most military friendly state in the United States.

**Section 4: Purpose.** The Commission shall provide advice, counsel, and recommendations to the Governor, General Assembly, the Secretary of the Military and Veterans Affairs (“the Secretary”), and other State agencies on initiatives, programs, and legislation that will continue and increase the role that North Carolina’s military installations, the National Guard, and Reserves play in America’s defense strategy and the economic health and vitality of the State.<sup>4</sup> The Commission is authorized<sup>5</sup> to:

- (1) Coordinate and provide recommendations to the Governor, General Assembly, and State agencies to protect North Carolina’s military installations from encroachment or other initiatives that could result in degradation or restrictions to military operations, training ranges, or low-level routes.
- (2) Cooperate with military installations to facilitate the military mission, training, and continued presence of major military installations in the State and notify the commanding military officer of a military installation and the governing body in affected counties and municipalities of any economic development or other projects that may impact military installations.
- (3) Identify and support ways to provide a sound infrastructure, adequate housing and education, and transition support into North Carolina’s workforce for military members and their families, military retirees, and veterans.
- (4) Lead the State’s initiative to prepare for the next round of Base Realignment and Closure (BRAC), as defined by the Governor and the General Assembly, with input from local military communities.
- (5) Identify and support economic development organizations and initiatives that focus on leveraging the military and other business opportunities to help create jobs and expand defense and homeland security related economic development activity in North Carolina.
- (6) Assist military installations located within the State by coordinating with commanders, communities, and State and federal agencies on affairs that affect military installations and may require State coordination and assistance.

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<sup>1</sup> Session Law 2013-227

<sup>2</sup> Session Law 2015-241

<sup>3</sup> Session Law 2017-57

<sup>4</sup> G.S. § 143B-1310(b)

<sup>5</sup> Session Law 2013-227

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- (7) Support the long-term goal of a viable and prosperous military presence in the State, which shall include development of comprehensive economic impact studies of military activities in North Carolina, updated every two years with recommendations for initiatives to support this goal.
- (8) Support the Army's Compatible Use Buffer Program, the Working Lands Group, and related initiatives.
- (9) Adopt processes to ensure that all planning, coordination, and actions are conducted with timely consideration having been given to relevant military readiness or training concerns and with appropriate communications with all potentially affected military entities.
- (10) Share information and coordinate efforts with the North Carolina Congressional delegation and other federal agencies, as appropriate.
- (11) Any other issue or matter that the Commission deems essential to fulfilling its purpose.

**Section 5: Goals.** The Commission may set goals and objectives as required to support the vision and purpose. However, the four goals listed below shall provide general guidance for the Commission while executing their duties and responsibilities.

- 1 – Support and enhance North Carolina's existing military installations and missions
- 2 – Increase the economic impact of the military and defense industry in North Carolina
- 3 – Improve the quality of life for Uniformed Service Members and their families
- 4 – Provide legislative and state agency coordination for military related issues

*Note: Goals are further defined in Appendix A along with specific assignments to each committee.*

**Section 6: Dissolution Process.** The Commission as established has no end date and can only be dissolved by statutory authority. Upon dissolution, the Commission's books, records, remaining funds, and property shall revert, be transferred and delivered to the DMVA.

**Article II: Membership**

**Section 1: Appointment Process.** All members as defined in Appendix B shall be statutorily appointed to the Commission.<sup>6</sup>

**Section 2: Term of Office.** Voting and Non-Voting Members shall serve a two-year term. Ex-Officio Members shall continue to serve while in the position or assignment that has a seat assigned.<sup>7</sup>

**Section 3: Term Limits.** There are no limits on the number of terms a voting member can be appointed.<sup>8</sup>

**Section 4: Resignation.**

(a) Voluntary Resignation- Any voting member of the Commission may resign upon written submission to the Chair.

(b) Attendance Requirement- Members who miss more than half of the Commission or Committee meetings over the course of a year without permission of the Chair are subject to being asked to resign from the Commission at the discretion of the Commission Chair.

(c) NC Residency Requirement- Members who move out of state will be asked to resign their position on the Commission.

(d) Violation of Code of Ethics- It is the policy of the Commission that its officers and other members avoid any situation which may constitute a conflict of interest, that is, any situation in which an individual uses or could use his or her position with the Commission for personal gain to the individual, members of the individual's family, or other organization with whom the individual is affiliated. To remain a member in good standing, a member must agree to the Code of Ethics in Appendix C and Statement of Economic Interest (SEI), if applicable. Members who failure to abide by the Code of Ethics are subject to being asked to resign from the Commission.

**Section 5: Vacancies.** The Chair may make recommendations for new members; however, the final authority for the appointments of new members shall remain with the original appointing authority.

**Section 6: Recusal.** A Commission or Committee member shall recuse himself or herself from any matter in which he or she has a conflict of interest, pursuant to the following:

- No member shall be excused from voting except upon matters involving the consideration of his own financial interest or official conduct.
- Any voting member may request that another voting member recuse himself or herself due to a perceived conflict of interest (See Appendix C). Such request shall not constitute a requirement that the member recuse himself or herself. In either instance above, the voting member may only be recused by a majority vote of the Commission.

(a) A recused member shall not participate with the Commission or Committee in that proceeding as a member in any capacity (voting, discussion, or offer any kind of opinion publically or privately to any

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<sup>6</sup> G.S. § 143B-1311

<sup>7</sup> G.S. § 143B-1311(g)

<sup>8</sup> G.S. § 143B-1311(g)

other voting member).

(b) If a previously unknown conflict is discovered, the Commission or Committee may take evidence pertaining to the conflict, and if warranted, recuse the conflicted member. The Commission or Committee shall review any proceedings to determine if the conflict of interest negatively impacted the impartiality of the proceedings. If any adverse impact is indicated, the proceedings shall be re-done, in part or in its entirety.

(c) The Commission or Committee may adjourn the proceedings to a future meeting if, after a recusal, a quorum is no longer present. The Commission or Committee may then resume the proceeding when a quorum is present.

(d) If, after the recusal of a member, a quorum is not present on a Committee, the Commission Chair shall appoint replacement voting members to satisfy a quorum for that order of business. The newly appointed voting members shall come from the voting members of the full Commission.

(e) In the unlikely event that a quorum of the full Commission is unable to be obtained following the recusal by more than one half of the voting members present; the Chair may postpone the proceedings until enough members that have not recused themselves can attend. If more than one half of the appointed voting members have recused themselves, the matter may not be taken up by the Commission and any recommendations or actions must be deferred.

**Section 7: Funding Vote Limitation.** A member of the General Assembly who is appointed to the Commission shall not vote on matters that expend funds appropriated by the General Assembly.<sup>9</sup>

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<sup>9</sup> G.S. § 143B-1311(f)

**Article III: Commission Officers and Leadership Roles**

**Section 1: Chair.** The Chair of the Commission shall be appointed by the Governor from the voting members of the Commission. There are no term limits established for this position.<sup>10</sup>

*Supporting actions:*

- *The Chair will convene regularly scheduled Commission and Committee meetings.*
- *Ensure that state agency support remains consistent as proposed by law and defined in Appendix E.*
- *Ensure that members concerns are addressed in a timely manner.*
- *Responsible for the performance of programs and all expenditures with approved budget allocations.*
- *Though the Chair may attend any Committee meeting, the Chair may not vote, but the Chair is required to vote on actions before the Executive Steering Group or the Commission.*
- *Prepare reports for the Executive Steering Group (ESG), Commission and North Carolina General Assembly- related meetings.*
- *The Chair will assign all members of the Commission, excluding the Chair, to committees using a number of factors including and not limited to: geographic location, background, and community representation.*

**Section 2: Vice-Chair.** The Vice-Chair shall be appointed from voting members by the Chair and serve on the Executive Steering Group.

*Supporting actions:*

- *The Vice Chair will remain a committee member and may simultaneously serve as chair of that committee.*
- *Assume the Commission Chair's duties and responsibilities in the absence or incapacity of the Chair.*
- *Attend and represent the Commission at Commanders' Council meetings.*
- *Maintain a list of the top priority actions or issues validated by the members of the ESG and approved by the full Commission. Status priority actions will be updated on a quarterly basis.*
- *Catalog concerns from designated Community Coordinators and Commanders' Council and report to the ESG.*

**Section 3: Committee Chairs.** Committee Chairs shall be selected by and serve at the discretion of the Commission Chair.

*Supporting actions:*

- *Set up and coordinate committee meetings.*
- *Address matters identified by the ESG and Community Coordinators with Military Affairs Awareness Coordinators representing state agencies and with other appropriate, organizations and agencies.*
- *Provide committee updates, meeting minutes, and top priorities, with a written record of action, to the ESG.*

**Section 4: Community Coordinators.** The Chair shall select a Community Coordinator to act as a liaison to coordinate with each military installation and their commanders, surrounding communities, and key

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<sup>10</sup> G.S. § 143B-1311(f)



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support organizations within the area. The Community Coordinators shall be selected from the voting members of the Commission. The Community Coordinator must reside in the community which they represent with the exception of the National Guard and Reserve Component representatives who have a statewide presence.

The following are the Communities with designated Coordinators:

- Fort Bragg Area
- Marine Corps Base (MCB) Camp Lejeune and Marine Corps Air Station (MCAS) New River
- MCAS Cherry Point Area
- Seymour Johnson Air Force Base (AFB) Area
- Coast Guard Base (CGB) Elizabeth City Area
- National Guard and Reserves (May be selected from any NC Resident with significant ties to the National Guard and/or Reserve Components)

*Supporting actions:*

- *Coordinate with the installation commander, surrounding community, and other stakeholders to set up a quarterly meeting to identify their top issues and priorities.*
- *Report issues and priorities to the appropriate committee and to the vice Chair.*

**Article IV: Commission Meetings**

**Section 1: Conduct of Meetings.** Meetings of members, including the order of business, shall be conducted in accordance with the most current version of Roberts' Rules of Order, except insofar as these by-laws, or the members may otherwise provide. The members may, by unanimous consent, waive the requirements of this section, but such waiver shall not preclude any member from invoking the requirements of this section at any subsequent meeting. The order of business as discussed in Appendix F may be modified, as appropriate, for any particular meeting if an alternative order would help the Commission work more efficiently and better meet the goals of the meeting. In addition, the order of business must include specific times set aside for public comment.

**Section 2: Frequency.** Regular Commission meetings shall occur at least on a quarterly basis.<sup>11</sup>

**Section 3: Notice Requirements.** Commission meetings shall be noticed in accordance with state statutes. Special meetings should be noticed in accordance with statute statutes, provided that such notice specifies the subject matter to be discussed at such special meeting. An agenda must include proposed amendments affecting Bylaws.

**Section 4: Place of Meetings.** All Commission and Committee meetings shall be held at a Chair-approved location.

**Section 5: Special Meetings.** The Chairman or a majority of the members of the Executive Steering Group may call a special meeting of the members.<sup>12</sup>

**Section 6: Voting Members.** Each voting member shall be entitled to one vote, exercisable in person, by phone, by a member on each matter submitted to a vote of the members.

**Section 7: Quorum.** A quorum will be constituted by the presence of a majority of the eligible voting members of the Commission. Members attending either in person or by phone will be counted for a quorum.

**Section 8: Adoption of Motions.** In order for motions to be adopted, more than one-half of eligible voting members present at any regular or special meeting of the members must vote in the affirmative. As a result, a tie vote constitutes a negative action.

**Section 9: Ratifications of Actions.** To the extent permitted by law, the Chair and the ESG may take emergency action on behalf of the Commission without its prior approval; however, such action may be subject to ratification by the Commission as a whole. A motion to ratify is a substantive motion.

**Section 10: Amendments to the Bylaws.** Bylaws may be adopted or amended upon the affirmative vote of a majority two-thirds of the voting members present at any regular or special meeting of the members. Any changes to the Bylaws will be reflected in the Bylaws Revision History included in Appendix H.

**Section 11: Observers.** Observers may comment during the public comment portion of Commission meetings. Observers shall present their comments with civility and respect and shall refrain from personal attacks, profane or abusive language, or disruptive or violent behavior. If this Bylaw is

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<sup>11</sup> G.S. § 143B-1310(c)

<sup>12</sup> G.S. § 143B-1311(h)

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violated, the Chair shall ask the observer to cease the disruption. If the observer is unable to do so, the chair may ask the observer to leave the room or may call a recess. The Chair may adjourn the meeting if adjournment is deemed to be in the public interest.

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**Article V: Budgetary and Financial Matters**

**Section 1: Budgetary Requests.** The Commission shall make requests for any funding requirements to the General Assembly in accordance with the General Assembly's budgetary timetable.

**Section 2: Expenditure of Funds.** The Commission shall use appropriated funds to support the purpose, projects and goals of the Commission.

**Section 3: Funding Approval Authority.** The Commission is the final approval authority for all funding appropriated by the General Assembly to the Commission, including the use of the Military Presence Stabilization Fund.<sup>13</sup>

**Section 4: Military Presence Stabilization Fund.** The Military Presence Stabilization Fund was established as a special fund in the Department of Military and Veterans Affairs. Funds in the Military Presence Stabilization Fund shall be used to fund actions designed to make the State less vulnerable to closure pursuant to federal Base Realignment and Closure and related initiatives. The Commission shall approve the use of the Fund for that purpose. The funds appropriated to the Military Presence Stabilization Fund may be used for any approved purpose in the current legislative guidance.

**Section 5: Administrative Support.** Administrative support shall be provided and funded by the DMVA pursuant to G.S. § 143B-1310(a).

**Section 6: Compensation.** Members of the Commission shall receive no compensation for attendance at meetings.<sup>14</sup>

**Section 7: Reimbursement for Subsistence and Travel.** The Commission shall use funds within its budget for any per diem, subsistence, and travel expenses authorized by this subsection.<sup>15</sup>

(a) Commission Members who are not officers or employees of the State. Members of the Commission who are not officers or employees of the State shall be eligible to receive reimbursement for subsistence and travel expenses at rates set out in G.S. 138-5 from funds made available to the Commission.<sup>16</sup>

(b) Commission Members who are officers or employees of the State. Members of the Commission who are officers or employees of the State shall be eligible to be reimbursed for travel and subsistence at the rates set out in G.S. 138-6 from funds made available to the Commission.<sup>17</sup>

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<sup>13</sup> G.S. § 143B-1217

<sup>14</sup> G.S. § 143B-1311(h)

<sup>15</sup> G.S. § 143B-1311(h)

<sup>16</sup> G.S. § 143B-1311(h)

<sup>17</sup> G.S. § 143B-1311(h)

**Article VI: Transaction of Business**

**Section 1: Posting of Minutes.** Minutes from prior meetings will be available and reviewed by the Chair prior to being included on the next meeting's agenda. Once the minutes have been voted on and approved by the Commission, they will be posted on the Commission page located on the DMVA website for public review.

**Section 2: Reporting Requirements.** The Commission shall provide a report on military affairs to the Secretary and to the General Assembly at least every six months. Prior to the start of a Regular Session of the General Assembly, the Commission shall report to the General Assembly with recommendations, if any, for legislation. Priority actions or issues may be submitted at any time.<sup>18</sup>

**Section 3: Interaction with Installations.** The Commission will work to strengthen the State's relationship with the military through direct engagement by Community Coordinators with Installation Commanders, the Chair's and Vice Chair's engagement with the Commanders' Council, and coordination from the Staff of Installations with DMVA staff. This engagement will determine their top issues, problems and priorities that may require state coordination and support from state and federal agencies and other organizations to find solutions that support installation needs.

**Section 4: Interaction with State Agencies.** The Commission will keep the Secretaries of each Cabinet Agency informed of the workings of this Commission through liaison with ex-officio members and designated Military Affairs Awareness Coordinators, who should be involved with Commission business that affects their agency. The role of State Agencies and Military Affairs Awareness Coordinators are defined in Appendix E.

**Section 5: Benchmarking Best Practices.** Identify and publicize "best practices" from other military community states for policies and actions that promote military base sustainability. Incorporate best practices into recommendations for the state or into the strategic planning process.

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<sup>18</sup> G.S. § 143B-1310(c)

**Article VII: Committees**

- **Section 1: The Executive Steering Group (ESG).** The ESG shall consist of the Commission Chair, the Commission Vice-Chair, Committee Chairs, and the Assistant Secretary for Military Affairs—who will serve as a nonvoting member. The ESG shall include one of the three designated Commission members from each of the following installation Areas, such member shall be selected by the installation Area members:

- Fort Bragg Area
- Marine Corps Base (MCB) Camp Lejeune and Marine Corps Air Station (MCAS) New River
- MCAS Cherry Point Area
- Seymour Johnson Air Force Base (AFB) Area

(a) The purpose of this group is to improve, organize, and carry out Commission functions, gather information and evaluate progress meeting goals and objectives, and to execute Commission duties.

(b) The ESG shall meet at the call of the Commission Chair.

*Supporting actions:*

- *ESG members will define the best approach towards working effectively with cabinet level offices and other state agencies to carry out the provisions and spirit of any executive orders that remain in force.*
- *ESG members will review approved committee minutes and recommended priorities and action items. The ESG will then prioritize items and determine which committee, committees, or whether the Commission should be involved in the review process.*
- *The ESG will establish a strategic planning process to develop recommendations and actions to support the long term viability and prosperity of the military presence in North Carolina, and to advise the Secretary on ways for the State to be more prepared and competitive for BRAC actions, and future defense budget cuts. The strategic planning process should include input from voting and ex-officio members of the Commission to consider long-term issues and best practices for possible implementation in North Carolina.*
- *Advise the Secretary of the DMVA on ways to increase awareness by the media, public, businesses, and legislators of North Carolina's strong support for the military and why NC is the most military friendly state in the country.*

**Section 2: Standing and Select Committees.** The primary purpose of the committees as defined in Appendix A is to provide timely information and/or recommendations to the full Commission on issues, actions, or priorities that impact or may have an impact on areas within their committee's responsibilities. This process should include coordination with installation commanders through a community coordinator, local community leaders, state agencies, and the DMVA to ensure that key issues that may affect achieving the goals of this Commission are tracked; that key and appropriate personnel are aware of these issues; and that their impact on North Carolina, military installations, and military personnel is understood.

(a) All commission members will serve on a Committee and each Committee shall consist of at least five voting members of the Commission.

(b) The Commission may establish additional committees or sub-committees and the Chair may

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establish working groups as required to accomplish the duties and functions of the Commission.

*Supporting actions:*

- *At a minimum, Committee Chairs will provide information to the ESG to assist with collecting information, tracking actions, establishing priorities, and providing other support to the ESG as necessary.*

## **Appendix A: Goals and Supporting Committees**

Goals are an observable and measurable end result having one or more objectives to be achieved within a more or less fixed timeframe that support the mission and vision of the Commission. Committees are established to support these efforts and will periodically report back to the Commission on progress in meeting goals. There are four goals established to support the Commission's Mission and Vision.

### **Goal 1 – Support and enhance North Carolina's existing military installations and missions (Committee with Primary Responsibility: Base Sustainability and Community Affairs)**

Use the Commission's membership, resources, and partners to develop recommendations to advise the General Assembly, Secretary of the DMVA and other State agencies on ways to protect North Carolina's military installations, infrastructure, training ranges, and low level routes from incompatible development or other initiatives that could degrade the military mission. Involve Commission members, both voting and ex-officio, working with community leaders, installation commanders, state and federal agencies, land use and environmental groups, developers, and other partners to identify potential threats or problems and assist with resolving them before they encroach on installations or adversely affect military training and other missions.

#### Base Sustainability and Community Affairs Standing Committee

The Base Sustainability and Community Affairs Standing Committee is hereby established with primary responsibility to protect North Carolina's existing military installations and missions from incompatible development, degradation, or other adverse actions.

Members of the Base Sustainability and Community Affairs Committee are encouraged to engage with key partners through a coordination and planning process that seeks to monitor, track progress, and resolve issues, problems, or threats that have been identified as potentially adversely impacting military installations, missions, or training. A key objective of this committee is to identify incompatible development, encroachment, environmental issues and other current or future problems or threats to installations, ranges or training activities before they occur.

The Base Sustainability and Community Affairs Committee serves as a clearing house for initiatives and activities that are related to protecting military installations from incompatible development or encroachment and improving infrastructure supporting sustainability initiatives and protecting NC's military ranges and low level routes. This committee will maintain awareness of initiatives, state and federal programs, and other activities that may impact the sustainability of military installations in North Carolina and determine the applicability of these programs to all installations in the state.

Establish a robust Base Sustainability and Community Affairs Committee consisting of Commission members, voting and ex-officio members, that includes community representatives, installation commanders, and state agencies who will work together to consider threats that have been identified and to determine the severity and possible courses of action to protect military installations and missions.

#### *Supporting actions:*

- *At least once each quarter and prior to the full Commission quarterly meeting, members of the Base Sustainability and Community Affairs Committee will meet with or contact installation commanders,*



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*the Assistant Secretary of Military Affairs, NC Working Lands Group, and the Military Affairs Awareness Coordinators from State agencies, regional planning groups, or others as required to determine if there are any new threats to military installations or missions. Commissioners designated as community representatives should take the lead on this action.*

- *The Base Sustainability and Community Affairs Committee will coordinate with state agencies, communities, installations, the NC Sentinel Landscapes Steering Committee, NC Working Lands Group, and other organizations as necessary to develop and maintain a comprehensive and accurate list, updated quarterly, of actual or potential threats to military installations that include incompatible development, encroachment or other activities, construction, developments, environmental issues or initiatives that could adversely affect military training and other missions. The status of each potential or actual threat will be maintained and progress toward resolution, recommendations or other actions will be included.*
- *The Base Sustainability and Community Affairs Committee will support state agencies, such as the NC Department of Environmental Quality (DEQ) and the NC Department of Agriculture and Consumer Services for environmental or compatible land use issues, the NC Department of Transportation on roads and infrastructure issues, or other groups or agencies to take the lead or assist with resolving problems that have been identified. Recommendations and advice to the Secretary of the DMVA will normally be generated through committee actions for review and approval by the Executive Steering Group and the full Commission*
- *Advise the Governor, the General Assembly, and State agencies on actions to be taken to ensure that North Carolina is as competitive as possible to protect our military installations from downsizing or closure.*
- *Assess any degradation of military missions due to actions taken by the State, or due to encroachment, incompatible development, or other developments that adversely affect military missions or installations.*
- *Coordinate with communities and regional groups to ensure that appropriate actions and preparation are enacted or being considered.*
- *If funds are so designated and approved by the General Assembly, contract as necessary through a competitive process with businesses to assist with BRAC preparation.*
- *Coordinate with consultants who are working with the NCMAC to protect NC military installations and ensure that objectives in the Statement of Work are accomplished.*

**Goal 2 – Increase the economic impact of the military and defense industry in North Carolina  
(Committee with Primary Responsibility: Economic Development)**

Economic development consists of recruitment and retention efforts that may affect the military and State economy. Retention efforts are important since a significant amount of the military economic driver is personnel meaning that base realignment and consolidation efforts can present a real threat or opportunity to the overall economy of the State.

Recruitment - Expand defense related economic development in North Carolina. Provide assistance, support and recommendations to the NC Secretary of Commerce that identify and support economic development opportunities that focus on leveraging the military, helping create jobs, and expanding defense and homeland security related economic growth opportunities in North Carolina.

Retention - Lead the state's efforts to prepare for the next BRAC process. Coordinate community, regional, and state efforts in preparation for the next BRAC and define a process that communities should follow to prepare for the next BRAC.

### Economic Development Standing Committee

The Economic Development Standing Committee is hereby established to assist with military related economic retention and recruitment efforts.

The objective of this committee is to develop and strengthen relationships between the Commission, the NC Department of Commerce, and other local and regional economic development organizations to assist them with identifying defense and homeland security related opportunities to retain and expand the State's economy. Those organizations include, but are not limited to:

- NC Military Foundation
- NC Military Business Center
- NC Defense Business Association
- Fort Bragg Regional Alliance
- Military Growth Task Force – Eastern Region
- Regional Economic Development organizations and Chambers of Commerce

#### *Supporting actions:*

- *Advise the Secretary and the Secretary of Commerce on actions that the State can take to support initiatives and programs that leverage military and homeland security programs to create jobs, increase the tax base and expand the state's economy.*
- *Enhance the state's capacity for expanding and relocating industry by supporting workforce initiatives, programs, organizations, and legislation intended to retain transitioning military personnel and family members in the state.*
- *Encourage installations, military services, and the Department of Defense (DoD) to allow installations to buy local and to buy North Carolina products and consumables for use on NC's military installations. Support programs that establish direct links and purchasing agreements between NC farmers and producers.*
- *Support compatible land use development and dual-use initiatives to maintain working lands in working land status that grows the economy while producing consumables for the installations.*
- *Support the long-term goal of a viable and prosperous military presence in the State, which shall include development of comprehensive economic impact studies of military activities in North Carolina, updated every two years with recommendations for initiatives to support this goal.*
- *Identify and publicize "best practices" from other states for policies and actions that promote job creation and expansion of defense and homeland security related economic development.*

### **Goal 3 – Improve the quality of life for Uniformed Service Members and their families (Committee with Primary Responsibility: Quality of Life)**

Promote mutual understanding and support between military members on installations and adjacent communities and encourage joint planning, cooperation, and sharing of services. Seek to improve the quality of life for military members and their families, retirees, and veterans who live in North Carolina by identifying and supporting initiatives, programs and legislation that protect and enhance military programs and benefits.

### Quality of Life Standing Committee

The Quality of Life Standing Committee is hereby established to improve quality of life for military members and families.

The primary objective of this committee is to advise the General Assembly, Secretary of the DMVA and other State agencies on initiatives, programs, organizations and legislation that protect and enhance benefits and the quality of life for military personnel and their families (active duty, National Guard and Reserves), veterans and military retirees.

#### *Supporting actions:*

- *Understand ways to improve educational opportunities for military personnel in NC, and support efforts by the public school system, community colleges, and the UNC system that improve the quality, availability, and affordability of public education to military families, with emphasis on meeting the special needs of families experiencing deployments and frequent moves from state to state. Coordinate with NC schools, the Community College System, and the UNC system to facilitate programs to support the military and military families in NC.*
- *Learn about “special needs” programs implemented by the military that communities and the State should support, such as “Living in the New Normal” for children of deployed parents who are facing dealing with long separations, injury, or death. Coordinate with state agencies and advise the Secretary of the DMVA on actions that the state should take to support these programs. Other needs include mental health programs dealing with Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), as well as financial, unemployment assistance for spouses, and other potential problem areas.*
- *Encourage special support for service members at the local level for communities interested and involved in helping and supporting the families of deployed personnel in many ways during deployments and re-deployments to NC installations.*
- *Identify “best practices” from other states for policies and actions that promote an enhanced quality of life for military service members and their families. Develop recommendations for consideration by state agencies and the Governor for implementation of the best practices in North Carolina.*

#### **Goal 4 – Provide legislative and state agency coordination for military related issues (Committee with Primary Responsibility: Legislative Affairs)**

Clarify and strengthen the ability of the General Assembly and State agencies to carry out their functions and to write legislation appropriate to support the objectives of the State as declared in this document. Coordinate and leverage efforts among military installations, state agencies, military interest groups and others to take appropriate actions at the state level to promote base sustainability, economic development and quality of life.

### Legislative Affairs Standing Committee

The Legislative Affairs Standing Committee is hereby established to assist with legislative and state agency coordination for military related issues.

The Legislative Committee will work with the NC General Assembly, the Secretary and with other State agencies to review proposed legislation, recommend new legislative actions, and to ensure that critical issues affecting the military in NC are coordinated with the General Assembly.

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*Supporting actions:*

- *Address feedback from military installation communities and coordinate with their members of the NC General Assembly on proposed legislation that may affect their communities and/or the installations in their areas.*
- *Correspond with the North Carolina congressional delegation members and other federal agencies on military related matters affecting the State.*
- *This committee will track all proposed and pending legislation that impacts or may affect military missions and installations, military members (active, NG, Reservists, Veterans), military families, and military related economic development, and make recommendations as appropriate.*
- *Coordinate meetings for the Commission to provide its annual report to key members of the NC General Assembly.*

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**Appendix B: Membership of the Commission**

Membership of the Commission including Voting and nonvoting members will be established in statute.

**Section 1: Voting Members.** The Commission shall consist of 23 voting members who are appointed by the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

Voting members shall include the following:

(a) Thirteen members appointed by the Governor, consisting of:

- One person residing near MCB Camp Lejeune/MCAS New River, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near MCAS Cherry Point, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Seymour Johnson Air Force Base, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Ft. Bragg, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Coast Guard Base Elizabeth City, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person who is a resident of North Carolina with a long-term connection to the State and who is a current or retired member of the North Carolina National Guard involved in a military affairs organization or involved in military issues through civil, commercial, or governmental relationships.
- One person who is a resident of North Carolina with a long-term connection to the State and who is a current or retired member of the reserve component of the Air Force, Army, Navy, or Marines or involved in a military affairs organization or involved in military issues through civil, commercial, or governmental relationships.
- Six persons who may reside in any part of the State, who are involved in military issues through civic, commercial, or governmental relationships.

(b) Five members appointed by the President Pro Tempore of the Senate, consisting of:

- One member of the Senate. A Senate member who has served in the military or has extensive experience in the area of military affairs shall be selected. The Senate member shall not vote on matters that expend funds appropriated by the General Assembly.
- One person residing near MCB Camp Lejeune/MCAS New River, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near MCAS Cherry Point, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Seymour Johnson Air Force Base, who is retired from the military and

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is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

- One person residing near Ft. Bragg, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

(c) Five members appointed by the Speaker of the House of Representatives, consisting of:

- One member of the House of Representatives. A House member who has served in the military or has extensive experience in the area of military affairs shall be selected. The House member shall not vote on matters that expend funds appropriated by the General Assembly.
- One person residing near MCB Camp Lejeune/MCAS New River, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Marine Corps Air Station Cherry Point, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Seymour Johnson Air Force Base, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.
- One person residing near Ft. Bragg, who is retired from the military and is actively involved in a military affairs organization, or a person who is involved in military issues through civic, commercial, or governmental relationships.

**Section 2:** Nonvoting Members of the Commission.

Nonvoting members from the General Assembly shall include the following:

- One nonvoting member of the Senate appointed by the President Pro Tempore of the Senate who shall be a nonvoting member of the Commission.
- One nonvoting member of the House of Representatives appointed by the Speaker of the House who shall be a nonvoting member of the Commission.

**Section 3:** Ex officio members of the Commission.

The following office holders or their designee, shall serve as nonvoting ex officio members of the Commission:

- The Lieutenant Governor.
- The Secretary for Veterans Affairs, DMVA
- The Secretary of Public Safety.
- The Secretary of Commerce.
- The Secretary of Transportation.
- The Secretary of the Department of Environment Quality.
- The Commissioner of Agriculture
- Adjutant General of the North Carolina National Guard.
- The Mayor of Elizabeth City, or designee.
- The Mayor of Fayetteville, or designee.
- The Mayor of Goldsboro, or designee.

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- The Mayor of Havelock, or designee.
- The Mayor of Jacksonville, or designee.
- The President of the University of North Carolina System.
- The President of the North Carolina Community College System.
- The Superintendent of Public Instruction.

The following officers, or their designee, shall be invited to serve as nonvoting ex officio members of the Commission:

- Commanding General, 18th Airborne Corps, Ft. Bragg.
- Commanding General, Marine Corps Installations East – MCB Camp Lejeune.
- Commanding Officer, MCAS Cherry Point.
- Commanding Officer, 4th Fighter Wing, Seymour Johnson Air Force Base.
- Commanding Officer, U.S. Army Corps of Engineers, Wilmington District.
- Commanding Officer, U.S. Coast Guard Base, Elizabeth City.
- Commanding Officer, MCAS New River.
- Commanding Officer, Fleet Readiness Center East.
- Commanding Officer, Military Ocean Terminal, Sunny Point.
- Commanding Officer, Coast Guard Sector North Carolina.
- Commanding Officer, Naval Support Activity Hampton Roads.

## **Appendix C: Code of Ethics**

### **Section 1: Guidance from the Chair**

(a) The ultimate success of the Commission rests not just on our ability to be a provider of quality recommendations but on our integrity and high ethical standards. Our reputation is based on trust, confidence and relationships built with individuals, government, nonprofits and businesses. To ensure our group's integrity perseveres, an uncompromising ongoing commitment towards ethical behavior must occur. As we strive in guiding North Carolina to becoming the most military friendly state, we must not forget our goals: to furnish recommendations the General Assembly and the Secretary in order to help grow our economy, to meet the needs of our military installations, to assist service members and their families and to be good stewards to the communities we serve.

(b) Commission leaders shall set the tone at the top and be an example to all. We will practice an open-door policy and have a responsibility to investigate instances of harassment, questionable, or unethical behavior. If this does not occur, members are instructed to seek guidance from the State Ethics Commission.

(c) Members should become knowledgeable, understand, and conform to the ethical standards set forth in these Bylaws. Though the Commission may or may not ultimately be deemed as a "covered board," Commission leadership has adopted a number of provisions in order to meet or exceed the expectations of the Governor's Office, the General Assembly, and the Public.

(d) Leadership takes seriously these ethical standards and violations are cause for disciplinary action up to and including removal from the Commission. As a member, you are accountable and responsible for knowing and adhering to the Member Code of Conduct and for raising questions if you are uncertain about these policies. If you are concerned about whether these standards are being met or are aware of violations of the NCMAC Code of Ethics, you should immediately contact the Commission Chair or the Assistant Secretary for Military Affairs.

(e) The following Commission Member Code of Conduct focuses on the following areas:

- Accountability
- Personal and professional integrity
- Conflict of Interest
- Confidentiality and Privacy

### **Section 2: Commission Member Code of Conduct / Ethics Pledge by Commissioners.**

I will uphold the law by following evolving compliance standards with an understanding of the policies, statutes, rules, and regulations that apply to our specific roles.

I will strive to be honest, open, fair, and competent about my endeavors at all times.

I will foster a culture of open and honest communications and will treat all with dignity and respect.

I will maintain trade secrets, proprietary and confidential information, and not disclose nonpublic information without a valid business purpose and proper authorization. This includes pricing, financial data, members' names/addresses, and nonpublic information about partners, including current or



potential supplier and vendors.

I will promote state procurement and bid practices for products and services based on their merit, superior quality, functionality, and competitive pricing.

I will not use my NCMAC title to give the impression of NCMAC support, or promote personal or local issues, or initiatives, that have not been approved by the NCMAC.

I will attempt to avoid conflicts of interest and before engaging in any activity, transaction or relationship that may result in the appearance of a conflict of interest, I will proactively seek clarification from my committee chair or Commission Chair. I will recuse myself from voting on any matter on which I have a financial interest. I will also complete all required statements of economic interest as required by the State Board of Ethics.

I will not accept gifts, discounts, favors, or services from a customer/potential customer, competitor or supplier, unless permitted under the State Ethics Act. These business courtesies may include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons, companies and vendors with whom the Commission does business with. It is understood that Commission members may accept occasional meals, refreshments, entertainment, and similar business courtesies that are shared with the person who has offered to pay for the meal or entertainment if equally available to all the Commission members. I will not offer or solicit improper payments or gratuities in connection with the awarding of goods or services.

I will ensure disclosures made in financial reports, records, and public documents are full, fair, accurate, timely, and understandable. I will inform my committee chair or the Commission Chair if I learn that information in any filing or public communication is untrue or misleading at the time it was made or if subsequent information would affect a similar future filing or public communication.

I will not improperly influence, manipulate, mislead, or interfere with any auditor engaged to perform an internal independent audit of the books, records, processes or internal controls.

If I am indicted for a felony by a state or federal grand jury or I fail to fully cooperate in an investigation conducted by a state or federal agency pursuant to law, I recognize such action may constitute grounds for my removal from the Commission.

I will attempt to meet during regularly scheduled meetings of the board during the board's calendar year, and if I do not meet expectations as defined in these Bylaws, recognize that I may be asked to resign my seat on the Commission.

I will refrain from using my position on the Commission to influence any election or the political activity of any person. I also recognize that a violation of this provision may result in my removal from an appointed seat by the Governor for Governor appointed positions, or by the appointing authority, if my position was not appointed by the Governor. Nothing herein shall prohibit me from publishing the fact of my membership in my own campaign for public office.

I will notify the Commission Chair as soon as possible when my in-state residency status changes.

I will use Commission-related resources such as time, material, equipment, and information for Commission purposes. I will not use state equipment such as computers, copiers, and fax machines in

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the conduct of an outside business or in support of any religious, political, or other outside daily activity, except for Commission-requested support to nonprofit organizations.

I am aware that in order to protect the interests of the State's network and members, the State reserves the right to monitor or review all data and information contained on a state-issued computer or electronic device, the use of the Internet related to Commission-related activities or the State intranet. Commission leadership will not tolerate the use of State resources to create, access, store, print, solicit, or send any materials that are harassing, threatening, abusive, sexually explicit, or otherwise offensive or inappropriate. Questions about the proper use of State resources should be directed to the Commission Chairman or the Assistant Secretary for Military Affairs.

As a member of a commission subject to the Public Records statutes, I recognize that documents created by Commission members in connection with the transaction of public business are public record and that media organizations and any member of the public may request copies of these records. These documents include email, even if the email is sent via a personal email account; final reports and other documents issued or considered by the Commission and its subcommittees; documents circulated in an open meeting and Commission and subcommittee minutes. As a result, I will keep and store public records for the amount of time established by the Program Records Retention and Disposition Schedule or for a minimum of three years. I also realize the destruction of public records is in violation of state law.

In order to ensure that we speak with one voice and provide accurate information about the company, I will direct media inquiries to DMVA or Commission Chair nor issue a press release without first consulting with either of them first.

**Section 3: Ethics Training Requirement.** All Voting Members of the Commission are required to complete "Ethics Education for Public Servants" offered by the NC Ethics Commission at least once every two years. The education is offered in two formats; an on-line version or the live presentation (in person). The DMVA may coordinate a live session at the request of the commission chair.

Instructions to complete the on-line version is available at:

<http://www.ethicscommission.nc.gov/education/eduOnlineInst.aspx>

**Appendix D: The Administration of Commission Business**

**Section 1: Department of Military and Veterans Affairs.** The DMVA shall not perform any of the Commission's management functions. The DMVA shall provide the following administrative services to the Commission<sup>19</sup>:

- (1) Noticing and providing space for meetings of the Commission and its committees.
- (2) Taking minutes of the Commission's meetings.
- (3) Reimbursing per diem, subsistence, and travel expenses pursuant to G.S. 143B-1311(h).
- (4) Serving as a liaison among the committees of the Commission.
- (5) Any other administrative services requested by the Commission.

**Section 2: Administrative Support.** The DMVA is responsible for administrative support and services to the Commission. The Assistant Secretary for Military Affairs, within the DMVA, shall serve as the administrative head for coordinating NCMAC administrative support.

*Supporting actions to be provided by the DMVA include, but are not limited to:*

- *Provide ongoing advice, interaction and staff assistance to the Chairman.*
- *Serve as the administrative executive of the Commission and committees with the following responsibilities:*
  - *Maintain daily operations, communications and normal business activities.*
  - *Review bylaws, addendums and practices to ensure compliance with relevant legislation.*
  - *In conjunction with the Community Coordinators, function as a liaison and maintain ongoing communications with:*
    - *Commanders and staffs of military installations,*
    - *The North Carolina Commanders' Council,*
    - *Military support organizations,*
    - *Chambers of commerce,*
    - *State and local economic development offices,*
    - *Local leaders of communities that host military installations,*
    - *Congressional delegation members and their staff (including Armed Service Committee Members),*
    - *Members of the NC General Assembly and their staff.*
- *Assist the Commission with the budgeting process:*
  - *Advise and provide to the Commission financial reports, budgets, budget updates, account and financial statements as directed.*
  - *Liaise with designated staff about financial matters.*
- *Provide support staff personnel as required*
- *Provide and host a website for internet capabilities.*
- *Coordinate with appropriate personnel to update website and intranet capabilities*
- *Receive and process per diem and travel expense requests.*
- *[Timely process and pay invoices authorized by the Commission and provide confirmation of payment to the Chairman.]*
- *Record and post meeting minutes to interested parties and news media in accordance with public meeting laws*

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<sup>19</sup> G.S. § 143B-1310(a)

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- *Distribute and publish meeting announcement satisfying public notice requirements.*
- *Ensure updates made to the website meeting satisfy public notice requirements.*
- *Assist Commission and Committee Chairs to develop agendas, schedule and arrange meetings of the Commission and committees.*
- *Such other administrative actions not otherwise covered herein (which matters may be included in a Memorandum of Understanding or other agreement as necessary).*

**Appendix E: State Agency Participation and Support**

**Section 1: Cabinet Agencies.**

Cabinet Secretaries shall assist with Military Affairs efforts as defined and required by Executive Order 34, Commitment to Protecting North Carolina Military Installations (dated November 22, 2013). The Military Affairs Awareness Coordinators designated by each Cabinet Agency will serve as the liaison to the Commission.

**Section 2: Council of State Agencies.**

The heads of each Council of State Agency and all other state agencies, including boards and commissions, are encouraged to take the actions outlined in Executive Order 34.<sup>20</sup>

**Section 3: Local Communities.**

Local governments whose communities are affected by military installations are strongly encouraged to adopt criteria and address compatibility of lands adjacent to or closely proximate to existing military installations in their land use plans.<sup>21</sup>

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<sup>20</sup> Executive Order 34, 11/22/13

<sup>21</sup> Executive Order 34, 11/22/13

**Appendix F: Order of Business**

The following order of business is suggested; however, it may be modified, as appropriate, for any particular meeting if an alternative order would help the Commission work more efficiently and better meet the goals of the meeting.

Registration  
Call to Order  
Introductions  
Opening Remarks  
Agenda Review, Correspondence and Announcements  
Approval of Minutes of Prior Meetings  
Status of Action Items  
Report of the Chair  
Presentations (Interspersed as needed)  
Public Comments (Can be time limited)  
Committee Reports  
Unfinished Business  
New Business  
Scheduled Items  
Other Items  
Identification of Action Item Assignments  
Adjournment

In addition, the order of business must include specific times set aside for presentations and public comment.

**Appendix G: Bylaws Revision History**

Adopted by a two thirds majority vote held on 8/21/18.  
Revision History: 9/10/13; 11/12/13; 9/16/14; 5/24/16.



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Chairman, North Carolina Military Affairs Commission

30 AUG 2018

Date

