

RULES REVIEW COMMISSION SPECIAL MEETING
MINUTES
July 9, 2024

The Rules Review Commission met for a special meeting on Tuesday, July 9, 2024, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina, and via Webex. The special meeting was called to go into closed session to discuss the lawsuit filed by the North Carolina Criminal Justice Education and Training Standards Commission v. North Carolina Rules Review Commission and Ashley Snyder, in her official capacity as Codifier of Rules.

Commissioners Wayne R. Boyles III, Jeanette Doran, Bill Nelson, and Jake Parker were present in the Commission Room. Commissioners Jeff Hyde, Barbara Jackson, Brandon Leebrick, and Paul Powell were present via Webex.

Staff member Alexander Burgos, Commission Counsel Seth Ascher, Brian Liebman, Bill Peaslee, and Travis Wiggs were in the Commission room.

The meeting was called to order at 10:00 a.m. with Chair Doran presiding.

The Chair read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearance of conflicts of interest.

At 10:03 a.m., upon a motion by the Chair and a second by Commissioner Boyles, the Commission voted to call the public meeting of the Rules Review Commission to enter into closed session pursuant to G.S. 143-318.11(a)(3) within the attorney-client privilege to consult with counsel regarding the Criminal Justice Education and Training Standards Commission v. North Carolina Rules Review Commission and Ashley Snyder, in her official capacity as Codifier of Rules by roll-call vote, ayes 7, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Bill Nelson, Jake Parker, and Paul Powell – 7. Voting in the negative: None

At 10:34 a.m., upon a motion by Commissioner Boyles and a second by Commissioner Jackson, the Commission voted to come out of closed session and reconvene the public meeting of the Rules Review Commission by roll-call vote, ayes 7, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Bill Nelson, Jake Parker, and Paul Powell – 7. Voting in the negative: None

The Chair read into the record a motion proposed in the closed session by Commissioner Jackson and seconded by Commissioner Boyles as follows: Pursuant to G.S. 143B-30.1, the North Carolina Rules Review Commission ("RRC") authorizes the RRC Chair to retain private counsel on behalf of the RRC in the matter of the North Carolina Criminal Justice Education and Training Standards Commission v. RRC and Ashley Snyder, Codifier of Rules, 24 CV020420-910 (Wake) should the Chair, in her sole discretion, deem it to be in the best interest of the RRC. The Chair may hire said private counsel of her choice without further consultation from the RRC.

Further, the Chair is authorized to manage and direct said private counsel in the course and conduct of the RRC's representation, including its prosecution, settlement, and final disposition without further consultation with the RRC unless otherwise demanded by roll-call vote, ayes 6, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Jake Parker, and Paul Powell – 6. Voting in the negative: None. The Motion passed.

Prior to the motion, Commissioner Nelson recused himself and did not participate in any discussion or vote concerning the motion because his law firm, Smith Anderson, is being considered for retention as outside counsel.

COMMISSION BUSINESS

The meeting adjourned at 10:37 a.m. by roll-call vote, ayes 7, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Bill Nelson, Jake Parker, and Paul Powell – 7. Voting in the negative: None

The next regularly scheduled meeting of the Commission is Wednesday, July 31, 2024, at 10:00 a.m.



Alexander Burgos, Paralegal

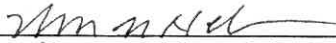
Minutes approved by the Rules Review Commission:
Jeanette Doran, Chair

MEMORANDUM OF ABSTENTION FROM
PARTICIPATION IN OFFICIAL ACTION
RULES REVIEW COMMISSION

In accordance with N.C. General Statute G.S. 138A-15(e), I have abstained from taking any verbal or written action, including voting, on the agenda item regarding CJETs v. RRC.

I have abstained because My law firm, Smith Anderson, is being considered for retention as outside counsel

This the 9th day of July, 2024.



Signature of Commission Member

No public servant authorized to perform an official action requiring the exercise of discretion shall knowingly participate in an official action by the board if the public servant, a member of the public servant's extended family, or a business with which the public servant is associated has an economic interest in, or a reasonably foreseeable benefit from, the matter under consideration, which would impair the public servant's independence of judgment or from which it could be reasonably inferred that the interest or benefit would influence the public servant's participation. A potential benefit includes a detriment to a business competitor or (1) the public servant; (2) a member of the public servant's extended family, or (3) a business with which the public servant is associated. The public servant shall abstain from taking any verbal or written action and shall submit in writing to the board the reasons for the abstention.

Rules Review Commission Special Meeting July 9, 2024
Held Via WebEx

Name	Agency
Ashley Snyder	OAH
Sophie Plott	Labor
Michelle Schilling	DOJ
Hayworth, Anna	Agriculture
Dana McGhee	OAH
Daniel	NC Parks