

C. *Losing Side.* If the Board member voted on the losing side of the Board's previous action or was absent during the Board's previous action, the motion to rescind shall be in order only if:

1. there subsequently has become known information that (i) would have been material to the Board's previous decision and (ii) would have militated for a different result; or

2. a rescission of the action is imperative to avoid a material cost, risk, harm, or other jeopardy to the county or its citizens, and the material cost, risk, harm, or other jeopardy could not have been known at the time of the Board's previous action.

Five votes shall be required to pass the motion to rescind when the member was on the losing side in the previous Board action.

D. *Motions Out of Order.* The motion to rescind shall not be in order if:

1. The motion to reconsider can be made (*i.e.*, at the same meeting).

2. A motion to reconsider was taken and lost on the date of the previous Board action.

3. The matter is routine and only part of the action needs to be changed, in which case the motion to "amend something previously adopted" shall be used.

4. Irrevocable action has been taken as a result of the previous vote.

5. The action taken was the granting of an application for a regulatory approval, and the applicant or his or her principal has taken substantial action in justifiable reliance on the Board's vote.

* → 6. The Board member was not ~~a member of the Board~~ present when the previous action was taken.

7. More than two Board meetings have occurred since the previous action was taken.

8. The Board membership has changed after the previous action that is the subject of the motion to rescind.