

ATTACHMENT A

A RESOLUTION OUTLINING FURTHER ADVISORY BOARD TRAINING AND PROCEDURES FOR THE FUTURE

Resolution No. 23/2008-09

WHEREAS the Board of Aldermen appreciate the wise counsel they receive from their advisory boards, and

WHEREAS the Board wishes these advisory boards to function as openly and efficiently and as wisely as possible, and

WHEREAS the Board has discussed various means for achieving such function,

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. Staff should proceed with the creation of an advisory board training video.
2. Staff shall provide at least a monthly update on advisory board vacancies (staff's proposal is that this would be contained in a Board-Manager Memo).
3. The Advisory Board Appointment Guidelines be amended to state that advisory board appointees appointed to unexpired terms of 6 or fewer months will be simultaneously appointed to the following 3 year term.
4. (Any changes to attendance / removal policy OR enforcement?)
5. (Other?)

ATTACHMENT B

Videotaped training for new advisory board appointees

The Town's cablecasting contractor has indicated that a professionally produced 15-20 minute training videotape would cost the town roughly \$1,200. Staff proposes that a video of that length could give helpful and appropriate introductions to the issues of open meetings, public records, conflicts of interest, and other important aspects of advisory board function. Professor Fleming Bell at the UNC School of Government has agreed to participate in the filming and the town might consider using the town attorney and other staff as well.

Ways to get all advisory board agendas and minutes posted in a timely fashion

The Manager's Office sends out periodic reminders to all advisory board staff liaisons to make sure that both agendas and *approved* minutes get posted in a timely fashion. The great majority do get posted in a timely fashion.

Information on the governing rules and voting procedures of all the advisory boards;

Please see Attachment C for the laws, bylaws, and information on BOA liaison voting rules for the various advisory boards.

Information / thoughts on the idea of term limits for advisory board chairs;

Please see Attachment D for information the Town Clerk was able to collect about about which other communities have term limits for advisory board chairs. Staff has no opinion on this matter and defers to the Board on whether to institute such term limits.

Information on Advisory Board Vacancies

The Manager's Office will be including an update on which advisory boards have (how many) vacancies at least once a month in the Board-Manager Memo.

Information / thoughts on attendance issues on some advisory boards.

The current advisory board guidelines state that advisory board members who miss 3 consecutive meetings or more than 30% of the meetings in a 12-month period will be removed (through a combination of actions by the board chair and Town Clerk). Those actions are, in theory, initiated by the Town Clerk based on quarterly attendance records given to her by the advisory board chairs. The Town Clerk does not always get good attendance records, however, so this process is not always set in motion even if the criteria are met.

Several advisory board members *have* been removed within the past year based on poor attendance, and the board has also recently changed policy somewhat so that they would get a heads up if a board chair and Town Clerk were considering removal of an advisory board member for these reasons.

The Board also has liaisons to each advisory board and can informally gather information about attendance issues through those liaisons.

The Board of Aldermen may wish to consider some of the following changes (and/or others):

- Re-emphasize the need for advisory board chairs to report attendance at least quarterly;

- Based on better data, the Alderman could request more thorough application of existing attendance rules;
- Use of the videotaped training to communicate the rules / expectations related to attendance

LAWS, BYLAWS, AND VOTING RULES FOR CARRBORO ADVISORY BOARDS

Advisory Board	Laws	Bylaws?	Is the BOA Liaison Allowed to Vote?
Arts Committee	Ch.3 of the Town Code / Section 3-41 to 3-41.2	No <i>Note: Town Code says they select their own chair / vice-chair.</i>	No.
Appearance Commission (~ Neighborhood Preservation District Commission?)	Ch.15 of the Town Code (LUO) / Sections 15-42 to 15-44 for Appearance Commission Sections 15-330 to 15-340 for NPDC	No <i>Note: LUO says they select their own chair / vice-chair.</i>	No.
Board of Adjustment	Ch.15 of Town Code (LUO) / Sections 15-29 to 15-34	No. <i>Note: Town Code says they select their own chair / vice-chair.</i>	No.
Economic Sustainability Commission	Ch.3 of the Town Code / Sections 3-24.3 to 3-24.4	No. <i>Note: Town Code says they select their own chair / vice-chair.</i>	No.
Environmental Advisory Board	Ch.15 of Town Code / Section 15-45 to 15-45.2	Yes. <i>Note: LUO says they select their own chair / vice-chair.</i>	No.
Greenways Commission	Ch.3 of the Town Code / Sections 3-24.7 to 3-24.9	No. <i>Note: Town Code says they select their own chair / vice-chair.</i>	Yes. The Town Code lists them as members rather than liaisons.
Advisory Board	Laws	Bylaws?	Is the BOA Liaison Allowed to Vote?

ATTACHMENT C-2

<p>Human Services Advisory Commission</p>	<p>Ch.3 of Town Code / Sections 3-7 to 3-9</p>	<p>No. <i>Note: Town Code says that the BOA appoints the chair / vice-chair, but it is unclear how this has been handled in the past.</i></p>	<p>ONLY if a BOA member is one of the appointees. See 3-7(b)(4). Not if they're just a liaison.</p>
<p>Northern Transition Area Advisory Committee</p>	<p>Ch.15 of Town Code (LUO) / Section 15-27</p>	<p>No. <i>Note: LUO says they select their own chair / vice-chair.</i></p>	<p>No</p>
<p>Planning Board</p>	<p>Ch.15 of Town Code (LUO) / Section 15-21 to 15-26</p>	<p>Yes <i>Note: LUO says they select their own chair / vice-chair.</i></p>	<p>No</p>
<p>Recreation and Parks Commission</p>	<p>Ch.3 of the Town Code (Sections 3-27 to 3-29)</p>	<p>No. Have thought about developing some. <i>Note: Town Code says the Commission appoints its own chair and vice-chair.</i></p>	<p>Yes. The BOA rep. is an appointed member of the commission. Some have chosen to exercise that right and some have not.</p>
<p>Transportation Advisory Board</p>	<p>Ch.3 of the Town Code (Section 3-24.1 to 3-24.2)</p>	<p>Yes. <i>Note: Town Code says the Board appoints its own chair and vice-chair.</i></p>	<p>No. The TAB has a BOA member, but the Town Code states that they do not vote.</p>

BY-LAWS --- TRANSPORTATION ADVISORY BOARD

OBJECTIVE:

To assist the Carrboro Board of Aldermen concerning all matters relating to transportation with the Town of Carrboro and the surrounding area and to undertake duties as the Board may request from time to time. The Transportation Advisory Board (TAB) will be required to assemble whenever an application for a CUP permit is presented for review. Failure to act will forfeit the right to review. In case of failure to reach a quorum when presented with a CUP, the TAB forfeits its right to make a recommendation. **(AMENDED 6/5/97)**

MEMBERSHIP:

There shall be a Transportation Advisory Board (TAB) consisting of eight members appointed by the Board of Aldermen. Seven members (regular members) shall be residents of the town who are interested in or have expertise relevant to the duties of the TAB. The eighth member (the "liaison member") shall be a member of the Board of Aldermen and shall act as a liaison between the Board of Aldermen and the TAB. **(AMENDED 6/5/97)**

ORGANIZATION:

There will be a chair, and a vice-chairman, appointed by the TAB members. There will be a staff liaison present at all TAB meetings. **(AMENDED 6/19/97)**

A. Duties of the Chair

1. Prepare the agenda for meetings in consultation with staff.
2. Call special meetings if necessary.
3. Report actions or failure to take action to the Board of Aldermen
4. File with the Town Manager copies of the minutes of the meeting.

B. Duties of the Vice-Chair

1. Assume the duties of the chair when the chair is absent; and other duties as assigned.

C. Duties of the Staff

1. Act as secretary for the meetings.
2. Coordinate with the chair in planning the meeting agenda.
3. Notify members if a meeting is called or canceled.

MEETINGS:

- a) The Board will meet every first and third Thursday at 7:30 P.M. in the Carrboro Town Hall. Call meetings may be held occasionally. The meetings may not last longer than 9:30 P.M. unless a majority of the TAB members present vote to continue the meeting. **(AMENDED 6/19/97)**

- b) A quorum for the TAB shall consists of four regular members, except that if there are two or more vacant seats, a quorum shall consists of three regular members. All actions of this board shall be taken by majority vote of those present and voting, a quorum being present. The liaison members may participate in all deliberations but shall have no vote. **(AMENDED 12/17/92)**
- c) An agenda will be sent out to all TAB members prior to the meeting. Each agenda item will be assigned a time limit; and the TAB chair and Town staff will be responsible to get together and agree upon set time limits for each agenda item. The time limits set for each item may be extended at any time by majority vote. **(AMENDED 12/17/92)**
- d) If possible, a minimum of 24 hours for notification must be given for a call meeting. All members must be notified and the agenda will be posted and distributed. **(AMENDED 6/19/97)**
- e) In cases of weather warnings as communicated by the United States Weather Bureau, the TAB meeting will be canceled. **(AMENDED 6/19/97)**
- f) A regular member who is unable to attend a meeting due to temporary illness or physical incapacitation may participate by telephone and will be considered present and able to vote, subject to approval by the chair. A member wishing to participate by telephone should contact the chair at least 24 hours prior to the meeting. **(AMENDED 10/17/02)**

AMENDMENTS TO BY-LAWS:

The TAB may amend the by-laws at any meeting with not less than 5 members present. A simple majority present will be sufficient to pass a motion on the by-laws, which will be in effect after adoption by majority vote. **(AMENDED 6/19/97)**

Questions of procedure raised during TAB meetings shall be resolved using the suggested Robert's Rules of Order as a direction, except when those rules conflict with the Board's by-laws, and then the by-laws prevail. **(AMENDED 6/5/97)**

Environmental Advisory Board

Bylaws

Revised February 06, 2003

EAB ORGANIZATION AND AUTHORITY (FROM LAND USE ORDINANCE)

NOTE: This portion of the bylaws is dictated by ordinance and therefore may not be altered without amending the Land Use Ordinance.

PART VI. ENVIRONMENTAL ADVISORY BOARD (AMENDED 02/20/96)

Section 15-45 Appointment and Terms of Environmental Advisory Board

(a) There shall be an Environmental Advisory Board (EAB), which shall consist of seven members appointed by the Board of Alderman. All members of the EAB shall reside, own property, or operate a business within the town's planning jurisdiction.

(b) EAB members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. The initial terms of all members shall expire on January 31, 1996. Effective February 1, 1996, three members shall be appointed for three-year terms, two members for two-year terms, and two members for one-year terms. Vacancies shall be filled for the unexpired terms only.

(c) Members may be appointed to successive terms without limitation.

(d) Members may be removed as follows:

(1) The chair shall file or caused to be filed with the town clerk an attendance report after each meeting identifying those members who are present or absent.

(2) Unless the chair waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than 30% of the meetings during a twelve-month period. The town clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have ten days after receipt of such notice to waive the removal. If the chair fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirements should be waived, the town clerk will send the removal notice to the member. This removal shall be effective on the date of such notice.

(3) Members may also be removed by the Board of Alderman, after a hearing, for any good cause related to performance of duty.

Section 15-45.1 Organization and Meetings of EAB

(a) The EAB shall establish a regular meeting schedule. All meetings shall be open to the public and notification of such meetings shall conform to the requirements of the Open Meetings Law.

(b) A quorum shall be present for the EAB to take official action, and all actions shall be taken by majority vote. A quorum shall consist of four members if all seats on the EAB are filled and three members if there are one or more vacancies on the board.

(c) The EAB shall select one of its members to serve as chair and one member to serve as vice-chair. These officers will be chosen annually at the EAB's first meeting in March and shall serve for terms of one year unless their terms of appointment to the EAB sooner expire. Vacancies shall be filled for the unexpired term only. The chair and vice-chair may take part in all deliberations and vote on all issues.

Section 15-45.2 Powers and Duties of the EAB

(a) The Environmental Advisory Board may:

- (1) Advise the Board of Alderman on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the EAB include new development, solid waste, air quality, stormwater management, energy conservation, solar energy, groundwater, natural resources, and other areas.
- (2) Suggest to developers ways to utilize energy efficient design techniques such as day-lighting, siting, solar exterior lights, and other solar energy techniques as they become economically viable. This input from the EAB is to come at the beginning of the design process, as part of a concept review procedure.
- (3) Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.
- (4) Take any other action authorized by this chapter or any other ordinance or resolution of the Board of Alderman.

(b) ~~The foregoing duties and responsibilities shall be performed by the Environmental Advisory Board without the support of town staff. (REPEALED 5/11/99)~~

DRAFT BYLAWS – (ADAPTED FROM THE TAB and PLANNING BOARD)

NOTE: This portion of the bylaws is established by the Environmental Advisory Board and may be amended by a 2/3-majority vote of the Board in attendance with prior notice.

OBJECTIVE:

To assist and advise the Carrboro Board of Aldermen (BOA) concerning all matters relating to the environment of the Town of Carrboro and the surrounding area and to undertake duties as the Board may request from time to time. The Environmental Advisory Board (EAB) will be required to assemble whenever an application for a CUP permit is presented for review. Failure to act will forfeit the right to review. In case of failure to reach a quorum when presented with a CUP, the EAB forfeits its right to make a recommendation.

ORGANIZATION:

There shall be an Environmental Advisory Board (EAB) consisting of seven members appointed by the Board of Aldermen. There will be a chair and a vice-chair, to be elected by the EAB members. The Chair and Vice-Chair shall be elected by majority vote of the EAB by secret ballot. The Board of Aldermen will select an Alderman to serve as a liaison to the EAB, and as such, will function as a conduit of information between the BOA and the EAB. There will be a member of the Planning Department to serve as staff liaison to be present at all EAB meetings.

DUTIES OF THE CHAIR

1. Prepare the agenda for meetings in consultation with staff
2. Call special meetings if necessary
3. Report actions or failure to take action to the Board of Aldermen

DUTIES OF THE VICE-CHAIR

1. Assume the duties of the chair when the chair is absent; and other duties as assigned.

DUTIES OF STAFF

1. Act as secretary for the meetings, and prepare the meeting minutes
2. Coordinate with the chair in planning the meeting agenda
3. Prepare, distribute, and post the agenda
4. Notify members if a meeting is called or canceled

WORK COMMITTEES

Special work committees may be established at the discretion of the chair and upon request by any member of the EAB. Composition of each work committee and charge given the committee are at the discretion of the chair within the authority and bylaws of the EAB.

MEETINGS

- a. The Board will meet the first Thursday of each month at 7:30 P.M. in the Carrboro Town Hall. Additional meetings may be held occasionally as needed, and will generally be called on the third Thursday of the month unless scheduling issues arise.
- b. The meetings must conclude by 9:30 P.M. unless a majority of the EAB members present vote to continue the meeting.
- c. An agenda will be sent out to all EAB members prior to the meeting. Each agenda item will be assigned a time limit; and the EAB chair and Planning staff will agree upon and set time limits for each agenda item. The time limits set for each item may be extended at any time by majority vote.
- d. If possible, a minimum of 48 hours for notification must be given for a special meeting. All members must be notified and the agenda will be posted and distributed 48 hours in advance.
- e. In cases of severe weather warnings as communicated by the National Weather Service, the EAB meeting will be canceled.

QUORUM AND VOTING PROCEDURES

- a. A quorum for the EAB shall consist of four regular members. In the event that there are two or more vacant seats, a quorum shall consist of three regular members.
- b. All actions of this board shall require a majority vote of those present and voting, a quorum being present.
- c. A member may be excused from voting on a particular issue by majority vote of the remaining members present if any one of the following circumstances is found to exist:
 - ◆ If the member has a direct financial interest in the outcome of the matter at issue
 - ◆ If the matter at issue involves the member's own official conduct
 - ◆ If the participation in the matter might violate the letter or spirit of a member's code of professional responsibility
 - ◆ If a member has such close personal ties to the issue that the member cannot reasonably be expected to exercise sound judgment in the public interest.
- d. A member may be excused from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at that meeting.
- e. A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order only if made by or at the initiative of the member directly affected.
- f. A roll call vote shall be taken upon the request of any member.
- g. The Alderman and Staff liaisons may participate in all deliberations but shall have no vote.

TAKING PUBLIC COMMENT AT MEETINGS

- a. All meetings are open to the public and are to be conducted according to the State's public meeting laws.
- b. If members of the public wish to address the EAB, the Board will establish a time during the meeting for public comment.
- c. A "sign up" sheet will be available for persons to sign who wish to address the Board regarding a matter before the EAB.
- d. Speakers shall be allowed to speak no longer than 5 minutes regarding a matter before the Board
- e. All written comments from the public that are submitted to staff regarding a matter before the Board and shall be distributed to the EAB members.
- f. Agendas for EAB meetings will be available to the public.

GROUND RULES FOR DEBATE DURING MEETINGS

(This section added by majority vote of the EAB on 2/6/03)

In order to cover everything on the meeting agendas, finish at a reasonable time, and improve the flow of our meetings, the following ground rules are adopted.

1. If you are presenting an agenda topic that is amenable to a brief written summary, prepare one for handing out.
2. View all materials provided in advance so that your thoughts and comments are organized.
3. Limit discussion to topics focused on the item at hand.
4. Keep comments brief - no soapboxes.
5. Be mindful of the time allotment on the agenda.
6. Respect the right to discussion by the person who has the floor at any time (this is the chair's right to yield)
7. If you have spoken on an issue, do not seek the floor again until all others have had a chance to speak.
8. If you have spoken twice on an issue, refrain from speaking again on the same issue.
9. If you have spoken to an issue and have nothing new to add, do not take the floor.
10. Every member has a right to terminate discussion by addressing the chair and making a motion on the question.
11. When a motion is on the floor, the discussion that follows should be limited only to that motion and not peripheral issues.

AMENDMENTS TO BY-LAWS

The EAB may amend the by-laws with prior notice at any meeting with a quorum of members present. A 2/3 majority of members in attendance will be necessary to pass a motion on the by-laws, which will be in effect after adoption.

Questions of procedure raised during EAB meetings shall be resolved using Robert's Rules of Order as a guide, except when those rules conflict with the Board's by-laws, and then the by-laws prevail.

ADOPTED: April 25, 2002

REVISED: February 6, 2003

REVISED: September 21, 2006



TOWN OF CARRBORO PLANNING BOARD BYLAWS

DRAFT 05-08

(Scheduled for Planning Board review – October 21, 2008)



I. PREAMBLE

The Planning Board consists of citizen volunteers who study, analyze, and review projects, plans and policies. The Planning Board serves only in an advisory capacity, principally to the Board of Aldermen but also to the Board of Adjustment. In accordance with the Town Code, the Planning Board considers policies, studies, amendments to zoning designations, amendments to the Land Use Ordinance and permit applications affecting the use of land in Carrboro.

II. CONSTITUTION OF THE PLANNING BOARD

- (a) The Planning Board shall have eleven (11) members.
1. Nine (9) members shall reside within the municipal corporate limits.
 2. One (1) members shall reside within the Town's extraterritorial planning area.
 3. One (1) members shall reside within the Town's joint planning transition area.

III. APPOINTMENT AND REMOVAL PROCEDURES

- (a) The nine (9) members who reside within the municipal corporate limits are appointed by the Board of Aldermen.
- (b) The two (2) members who reside within the Town's extraterritorial planning area and the joint planning transition area are appointed by the Orange County Board of Commissioners.
- (c) If the Board of Commissioners fails to make these appointments within ninety (90) days after receiving a resolution from the Board of Aldermen requesting that they be made, the Board of Aldermen may make them.
- (d) A request for a member to be removed from the Planning Board is based on either three (3) consecutive unannounced absences from meetings and/or 30% unannounced absences of yearly meetings.

IV. POWERS AND DUTIES OF THE PLANNING BOARD

The Planning Board shall:

- (1) Make studies and recommend to the Board of Aldermen plans, goals and objectives relating to the growth, development and redevelopment of the town and the surrounding extraterritorial planning area.
- (2) Develop and recommend to the Board of Aldermen policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
- (3) Make recommendations to the Board of Aldermen concerning proposed conditional use permits and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.
- (4) Perform any other duties assigned by the Board of Aldermen.

V. OFFICERS

The Planning Board officers shall consist of the Chair, a First Vice-Chair and a Second Vice-Chair.

The Chair shall preside over meetings and the Chair or his/her designee shall speak on behalf of the Planning Board. In the Chair's absence, the first Vice-Chair shall act as the Chair, in the first Vice-Chair's absence; the second shall act as the first Vice-Chair.

VI. ELECTION OF THE OFFICERS

- (a) Majority vote of the Planning Board members by written ballot
- (b) Separate election for each of the three offices.
- (c) Election of the officers to be held at second meeting in January.
- (d) Term of office for the Chair, First Vice-Chair and Second Vice-Chair to be for one (1) year -- January to January.
- (e) No more than two of the three officers may be elected from any one of the three jurisdictional areas of the town (i.e. Town limits, extra-territorial jurisdiction, transition areas).

VII. DUTIES OF STAFF

- a. Act as secretary for the meetings, and prepare the meeting minutes.
- b. Coordinate with the chair in planning the meeting agenda.
- c. Prepare, distribute, and post the agenda.
- d. Notify members if a meeting is called or cancelled

VIII. AGENDAS

- (a) Planning staff shall review the minutes of the previous meeting and any outstanding list of work items and prepare an agenda for distribution to the Chair one week and one day prior to the next regularly scheduled meeting. Any applicable minutes and recommendations shall also be submitted for the Chair's review.
- (b) The Planning Board shall begin its meetings by reviewing the agenda and making any needed adjustments (Note: this step shall follow Joint Review items, when applicable).
- (c) Prior to the meeting, the Chair shall review the proposed agenda and direct staff to make any needed revisions.
- (d) Staff shall finalize the agenda materials and distribute as specified in the Town Manager's guidelines for advisory board agendas.
- (e) The second meeting of each month should be reserved for a worksession.
- (f) At least four times annually, the Board shall review a report of past activity.

IX. SUBCOMMITTEES

- (a) Special work sub-committees may be requested by any member or the Chair.
- (b) Composition and charge of each work committee to be at the discretion of the Chair.

X. QUORUM AND VOTING PROCEDURES

- (a) A quorum for the planning board shall consist of six members if there are no vacant seats, five members if there are one or two vacant seats, and four members if there are more than two vacant seats. A quorum is necessary for the board to take official action.
- (b) Actions of the Board shall be taken by majority vote.
- (c) A member shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- (d) A member shall disclose and may be excused from voting on a particular issue by majority vote of the remaining members present under the following circumstances:
1. The matter at issue involves the member's own official conduct; or
 2. The participation in the matter might violate the letter or spirit of a member's code of professional responsibility; or
 3. A member has such close personal ties to the applicant or to the issue that the member cannot reasonably be expected to exercise sound judgment in the public interest.
- (e) A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at that meeting, so long as a quorum is maintained.
- (f) A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order if made by or at the initiative of any member.
- (g) A roll call vote shall be taken upon the request of any member.
- (h) Every member has a right to terminate discussion by addressing the chair and making a motion on a question.
- (i) When a motion is on the floor, the discussion that follows should be limited only to that motion and not peripheral issues.
- (j) The chair may participate in all aspects of the deliberation and voting, and may introduce a motion on any matter.
- (k) The Aldermen and staff liaisons may participate in all deliberations but may not vote on any matter.

XI. MEETINGS

1. If members of the public wish to address the Planning Board, the Board may establish a time during the meeting for public comment.

2. A "Sign Up" sheet will be available for persons to sign who wish to address the Planning Board regarding a matter before the Planning Board.
3. Speakers shall address the Planning Board only after introducing themselves and being recognized by the chair and only from a specified location.
4. Each speaker shall be allowed to speak no longer than three (3) minutes regarding a matter before the Planning Board, to be timed by one of the two Vice-Chairs using a standardized and easily visible timing device.
5. All written comments from the public that are submitted to staff regarding a matter before the Planning Board shall be distributed to the Planning Board.
6. Agendas for Planning Board meetings will be available to the public
7. A copy of the bylaws will be available to the public.
8. Written materials (15 copies) may be submitted for review and will be made a part of the record of the meeting. Whenever possible, these materials are to be distributed in advance of the meeting.
9. A regular member who is unable to attend a meeting due to physical incapacitation may participate by telephone and will be considered present and able to vote, subject to approval by the chair and the availability of functioning equipment. A member wishing to participate by telephone should contact the chair at least 24 hours prior to the meeting.
10. Ex parte communications are not prohibited, however it may be appropriate to disclose such communication related to matters under consideration by the Planning Board.

XII. PROCEDURES FOR REVIEWING APPLICANTS

1. The Chair shall inform members of applicants and shall invite all applicants to attend a meeting of the Planning Board.
2. The Chair shall provide an opportunity for all Planning Board members to provide comments on the applicants.
3. The Chair shall review the applications in association with a Planning Board goal of achieving neighborhood representation and geographic diversity and shall provide the Town Clerk with a recommendation.

XIII. AMENDMENT PROCEDURES

The Carrboro Planning Board Bylaws may be amended at the pleasure of the Planning Board by a majority vote.



ADOPTED :
APRIL 1985

AMENDED :
MARCH 2000
DECEMBER 2003

APPENDIX A.**I. ENABLING AUTHORITY**

(NOTE: Amendments to the Land Use Ordinance provisions, included here as Part I of the Planning Bylaws, are valid only when enacted by the Board of Aldermen.)

(Article III, Part I of the Land Use Ordinance**Section 15-21 Appointment and Terms of Planning Board Members**

(a) There shall be a planning board consisting of eleven members. Nine members, appointed by the Board of Aldermen, shall reside within the town. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's extraterritorial planning area. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's joint planning transition area. If the Orange County Board fails to make these appointments within ninety days after receiving a resolution from the Board of Aldermen requesting that they be made, the Board of Aldermen may make them. **(AMENDED 5/26/81; 5/27/86; 11/14/88; 09/13/94; 4/25/06)**

(b) Planning board members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies shall be filled for the unexpired terms only. **(AMENDED 05/27/86; 11/14/88; 4/25/06)**

(c) The term of one of the new in-town members shall expire January 31, 2009 (this seat replaces the vacant seat of an ETJ member whose term would have expired on that date) and the term of the other new in-town member shall expire January 31, 2007 (this seat replaces the vacant seat of a transition area member whose term would have expired on that date). **(AMENDED 4/25/06)**

(d) All members may participate in and vote on all issues before the board, regardless of whether the issue affects property within the town or within the extraterritorial planning area.

(e) Members may be removed as follows: **(AMENDED 05/27/86)**

(1) The chairman shall file or cause to be filed with the town clerk an attendance report after each meeting identifying those members who were present or absent.

(2) Unless the chairman waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than thirty percent of the meetings during a twelve month period. The town clerk shall notify the chairman in writing as soon as a member becomes subject to removal under this section. The chairman will have ten days after receipt of such notice to waive the removal. If the chairman fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the town clerk will send a removal

notice to the member. This removal shall be effective on the date of such notice.

- (3) Members may also be removed by the appointing authority, after a hearing, for any good cause related to performance of duty.

Section 15-22 Meetings of the Planning Board.

(a) The planning board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with Section 15-66 (Applications to be Processed Expeditiously).

(b) Since the board has only advisory authority, it need not conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV, V, and VI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

(c) Minutes shall be kept of all board procedures and the vote of every member on each issue shall be recorded.

(d) All board meetings shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.

(e) Whenever the board is called upon to make recommendations concerning a conditional use permit request, special use permit request, or a minor zoning amendment proposal, the planning staff shall post on or near the subject property one or more notices that are sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the board's agenda at a specified date and time. Such notice(s) shall be posted at least seven days prior to the meeting at which the matter is to be considered.

Section 15-23 Quorum and Voting.

(a) A quorum for the planning board shall consist of six members if there are no vacant seats, five members if there are one or two vacant seats, and four members if there are more than two vacant seats. A quorum is necessary for the board to take official action.

(b) All actions of the planning board shall be taken by majority vote, a quorum being present.

(c) A roll call vote shall be taken upon the request of any member.

Section 15-24 Planning Board Officers.

(a) The planning board shall designate one of its members to serve as chairman and one member to serve as vice-chairman. These officers shall be selected annually at the board's first regular meeting in February and shall serve for terms of one year unless their terms of appointment to the board sooner expire. Vacancies shall be filled for the unexpired terms only. (AMENDED 01/10/84)

(b) The chairman and vice-chairman may take part in all deliberations and vote on all issues.

Section 15-25 Powers and Duties of the Planning Board.

(a) The planning board may:

- (1) Make studies and recommend to the Board of Aldermen plans, goals and objectives relating to the growth, development and redevelopment of the town and the surrounding extraterritorial planning area.
- (2) Develop and recommend to the Board of Aldermen policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
- (3) Make recommendations to the Board of Aldermen concerning proposed conditional use permits and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.
- (4) Perform any other duties assigned by the Board of Aldermen.

(b) The planning board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

Section 15-26 Advisory Committees. (AMENDED 10/24/06)

(a) From time to time, the Board of Aldermen may appoint one or more individuals to assist the planning board to carry out its planning responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Board of Aldermen may appoint advisory committees to consider the thoroughfare plan, bikeway plans, housing plans, economic development plans, etc.

(b) Members of such advisory committees shall sit as nonvoting members of the planning board when such issues are being considered and shall lend their talents, energies, and expertise to the planning board. However, all formal recommendations to the Board of Aldermen shall be made by the planning board.

(c) Nothing in this section shall prevent the Board of Aldermen from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the Board of Aldermen.

(d) If an advisory committee provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board), a member of that board shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

Article IV

Section 15-48.1 Concept Plan Review Procedures Prior to Submitting Applications

(a) Prior to submitting an application for a special or conditional use permit, the applicant shall comply with the requirements of this section.

(b) The applicant shall attend a regularly scheduled Development Review meeting and discuss the proposed project with staff in attendance at such meeting. This requirement shall not apply to a developer of a proposed major subdivision who has met with the planning staff under the provisions of Subsection 15-50(d) following an “on-site walkabout”.

(c) Following compliance with the provisions of subsection (b), the applicant shall attend a Joint Advisory Board meeting comprising at least the following boards: Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, and Economic Sustainability Commission. The planning staff may notify the Recreation and Parks Commission and the Northern Transition Area Advisory Committee when issues relevant to those boards are raised by a proposed development and members of those boards may attend.

(1) No quorum requirements shall apply to the Joint Advisory Board.

(2) The applicant shall present to the Joint Advisory Board sufficient information about the proposed development to enable the board to have a general understanding of the nature and extent of the development. If the development is a major subdivision, then a “conceptual preliminary plan” prepared in accordance with the provisions of Section 15-50 shall suffice. If the development is not a major subdivision, then the information submitted shall include at least the following:

- a. A sketch site plan showing the location and size (including floor area) of proposed buildings, parking areas, and driveway entrances;
- b. Proposed residential densities and types of residential units (in terms of number of bedrooms);
- c. Illustrations of building elevations.

- d. Other information deemed necessary by the staff to demonstrate to the Joint Advisory Board the concept of the proposed development.

(d) Following the presentation of the concept plan to the Joint Advisory Board, the members of that board may present such feedback to the developer as they deem appropriate. In addition, following the Joint Advisory Board meeting, the component advisory boards may meet separately and make recommendations to the developer.

- (f) When the development application comes back before the advisory boards for a recommendation prior to the public hearing on such application, the applicant shall provide a written response to all advisory board comments, and each advisory board that has reviewed the concept plan and made comments on it shall review those comments and may ask the developer to explain how those comments have been addressed or why they have not been addressed.

Section 15-50 Site Planning Procedures for Major Subdivisions (AMENDED 05/25/99)

(a) Before submitting an application for a conditional or special use permit for a major subdivision, the applicant shall comply with the requirements of this section.

(b) The applicant shall submit a site analysis plan drawn approximately to scale (1inch = 100 feet) that contains the following information:

- (1) The name and address of the developer;
- (2) The proposed name and location of the subdivision
- (3) The approximate total acreage of the proposed subdivision;
- (4) Topographic lines based on maps published by the U.S. Geological Survey;
and
- (5) The location of all primary and secondary conservation areas as defined in subsections 15-198(b)(4) and (5).
- (6) The location of any existing or proposed road connections on adjacent property.

(c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Northern Transition Advisory Committee, Transportation Advisory Board, and Appearance Commission, shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements.

(d) Prior to the submission of a conceptual preliminary plan as described in subsection (e), the staff shall meet with the developer to discuss how the four-step approach to designing subdivisions described below could be applied to the subject property. This conference may be combined with the on-site walkabout.

(e) Following completion of the steps described in subsections (b), (c), and (d), the developer shall submit a conceptual preliminary plan of the proposed subdivision, prepared in accordance with the four-step process described in subsection (f). This plan shall be a preliminarily engineered sketch plan drawn to illustrate initial thoughts about a conceptual layout for open space, house sites, and street alignments. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed subdivision layout. The planning staff shall review this plan and provide comment to the developer on the overall pattern of streets, houselots, open space, and the treatment of primary and secondary conservation areas in light of the applicable requirements of this chapter.

(f) Each conceptual preliminary plan shall be prepared using the following four-step design process:

- (1) During the first step, all primary and secondary conservation areas are identified (and shown on the site analysis plan described in subsection (b)).
- (2) During the second step, potential sites are tentatively located. House sites should generally be located not closer than 100 feet from primary conservation areas and 50 feet from secondary conservation areas.
- (3) The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical way and to identify points of existing or proposed connectivity in order to comply with Subsection 15-217(a). When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on primary and secondary conservation areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15% shall be strongly discouraged. Street connections shall comply with the provisions of Section 15-214.
- (4) The fourth step is to draw in the lot lines.

(g) The conceptual preliminary plan shall demonstrate that the proposed development will satisfy the following objectives, as more particularly described in the remaining provisions of this chapter:

- (1) Protects and preserves all floodplains, wetlands, and steep slopes from clearing, grading, filling, or construction (except as may be approved by the Town for essential infrastructure or active or passive recreation amenities).
- (2) Preserves and maintains mature woodlands, existing fields, pastures, meadows, and orchards, and creates sufficient buffer areas to minimize

conflicts between residential and agricultural uses. For example, locating houselots and driveways within wooded areas is generally recommended, with two exceptions. The first involves significant wildlife habitat or mature woodlands which raise an equal or greater preservation concern, as described in #5 and #8 below. The second involves predominantly agricultural areas, where remnant tree groups provide the only natural areas for wildlife habitat.

- (3) If development must be located on open fields or pastures because of greater constraints in all other parts of the site, dwellings should be sited on the least prime agricultural soils, or in locations at the far edge of a field, as seen from existing public roads. Other considerations include whether the development will be visually buffered from existing public roads, such as by a planting screen consisting of a variety of indigenous native trees, shrubs and wildflowers (specifications for which should be based upon a close examination of the distribution and frequency of those species, found in a typical nearby roadside verge or hedgerow).
- (4) Maintains or creates an upland buffer of natural native species vegetation of at least 100 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes and ponds.
- (5) Designs around existing hedgerows and treelines between fields or meadows. Minimizes impacts on large woodlands (greater than five acres), especially those containing many mature trees or a significant wildlife habitat, or those not degraded by invasive vines. Also, woodlands of any size on highly erodible soils with slopes greater than 10 percent should be avoided. However, woodlands in poor condition with limited management potential can provide suitable location for residential development. When any woodland is developed, great care shall be taken to design all disturbed areas (for buildings, roads, yards, septic disposal field, etc) in locations where there are no large trees or obvious wildlife areas, to the fullest extent that is practicable.
- (6) Leaves scenic views and vistas unblocked or uninterrupted, particularly as seen from public roadways. (For example, in open agrarian landscapes, a deep, "no-build, no-plant" buffer is recommended along the public roadway where those views or vistas are prominent or locally significant. In wooded areas where the sense of enclosure is a feature that should be maintained, a deep "no-build, no-cut" buffer should be respected, to preserve existing vegetation.
- (7) Avoids siting new construction on prominent hilltops or ridges, by taking advantage of lower topographic features.
- (8) Protects wildlife habitat areas of special species listed as endangered, threatened, or of special concern by the state or federal government.
- (9) Designs around and preserves sites of historic, archaeological, or cultural value, and their environs, insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, cellar holes, earthworks, burial grounds, etc.

- (10) Protects rural roadside character and improves public safety and vehicular carrying capacity by avoiding development fronting onto existing public roads. Establishes buffer zones along the scenic corridor of rural roads with historic buildings, stone walls, hedgerows, etc.
- (11) Landscapes common areas (such as community greens), and both sides of new streets with native specie shade trees and flowering shrubs with high wildlife conservation value.
- (12) Provides active recreational areas in suitable locations offering convenient access by residents, and adequately screened from nearby houselots.
- (13) Includes a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, between properties and activities or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails, which in turn should link with potential open space on adjoining undeveloped parcels (or with existing open space on adjoining developed parcels, where applicable).
- (14) Provides open space that is reasonably contiguous, and whose configuration is in accordance with the guidelines contained in the Design and Management Handbook for Preservation Areas, produced by the Natural Lands Trust. For example, fragmentation of open space should be minimized so that these resource areas are not divided into numerous small parcels located in various parts of the development. To the greatest extent practicable, this land shall be designed as a single block with logical, straightforward boundaries. Long thin strips of conservation land shall be avoided, unless the conservation feature is linear or unless such configuration is necessary to connect with other streams or trails. The open space shall generally abut existing or potential open space land on adjacent parcels, and shall be designed as part of larger, contiguous, and integrated greenway systems, as per the policies in the Open Space and Recreation section of the Town's Ordinance.

Section 15-57 Recommendations on Conditional Use Permits.

(a) Before being presented to the Board of Aldermen, an application for a conditional use permit shall be referred to the planning board, appearance commission, and the transportation advisory board for joint review and action in accordance with this section. The Board of Aldermen may not hold a public hearing on a conditional use permit application until the planning board, appearance commission, and the transportation advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, or the transportation advisory board, the Board of Aldermen may continue the public hearing to allow the respective boards more time to consider the application. **(AMENDED 09/19/95)**

(b) When presented to the planning board, appearance commission, and the transportation advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements

to be imposed by the Board of Aldermen. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. **(AMENDED 09/19/95)**

(c) The planning board, appearance commission, and the transportation advisory board shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. **(AMENDED 09/19/95)**

(d) After reviewing the application, the planning board, appearance commission, and the transportation advisory board shall report to the Board of Aldermen whether it concurs in whole in part with the staff's proposed findings and conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefor. **(AMENDED 09/19/95)**

(e) In response to the planning board's, the appearance commission's, or the transportation advisory board's recommendations, the applicant may modify his application prior to submission to the Board of Aldermen, and the planning staff may likewise revise its recommendations. **(AMENDED 09/19/95)**

Article IX

Section 15-141.2 (g) (2):

The planning board, Northern Transition Advisory Committee, Appearance Commission, Environmental Advisory Board, Transportation Advisory Board (and other advisory boards to which the Board of Aldermen may refer the application) shall review the proposed master plan at the same time it considers the applicant's rezoning request. In response to suggestions made by the planning board (or other advisory boards), the applicant may revise the master plan before it is submitted to the Board of Aldermen

Article XX

Section 15-321 Initiation of Amendments

(a) Whenever a request to amend this chapter is initiated by the Board of Aldermen, the planning board, the board of adjustment, the appearance commission, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Board of Aldermen so that a date for a public hearing may be set.

(b) Any other person may also petition the Board to amend this chapter. The petition shall be filed with the planning department and shall include, among the information deemed relevant by the planning department:

- (1) The name, address, and phone number of the applicant.
- (2) A description of the land affected by the amendment if a change in zoning district classification is proposed.

- (3) Stamped envelopes containing the names and addresses of all those to whom notice of the public hearing must be sent as provided in Section 15-323.
 - (4) A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.
 - (5) A concise statement of the reasons why the petitioner believes the proposed amendment would be in the public interest.
- (c) Upon receipt of a petition as provided in (b), the planning staff shall either:
- (1) Treat the proposed amendment as one initiated by the town administration and proceed in accordance with subsection (a) if it believes that the proposed amendment has significant merit and would benefit the general public interest; or
 - (2) Forward the petition to the Board with or without written comment for a determination of whether an ordinance should be drafted and a public hearing set in accordance with subsection (d).

(d) Upon receipt of a proposed ordinance as provided in subsection (a), the Board may establish a date for a public hearing on it. Upon receipt of a petition for an ordinance amendment as provided in subsection (b), the Board may summarily deny the petition or set a date for a public hearing on the requested amendment and order the attorney, in consultation with the planning staff, to draft an appropriate ordinance.

Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments (AMENDED 10/24/06)

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues. **(AMENDED 09/19/95)**

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plans officially adopted by the Board of Aldermen. The planning board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters as deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Board of Aldermen may proceed in its consideration of the amendment without the planning board report. **(AMENDED 10/24/06)**

(c) A comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan, Thoroughfare Plan or other officially adopted plan shall not preclude

consideration or approval of the proposed amendment by the Board of Aldermen, and the Board of Aldermen is not bound by the recommendations of the planning board. **(AMENDED 10/24/06)**

(d) A member of the planning board and any other advisory committee that provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board) shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. **(AMENDED 10/24/06)**

INFORMATION ON TERM LIMITS FROM OTHER JURISDICTIONS

Chapel Hill	2 consecutive, 3-year terms, but can be reappointed after one year off
Lincolnton	2 consecutive, 3-year terms
Pinehurst	6-year limit, but can be reappointed after one year off
Zebulon	9-year limit, but can be reappointed after one year off

REVIEW OF ADVISORY BOARD APPOINTMENT AND TRAINING PROCESSES

The purpose of this agenda item was for the Board of Aldermen to review and make any desired changes to the current advisory board appointment and training processes.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY DAN COLEMAN TO REQUEST THAT THE TOWN STAFF PREPARE A REPORT TO INCLUDE:

- A monthly report to the Board on advisory board vacancies;
- A survey of other towns regarding term limits for advisory board chairs;
- The idea of a videotaped training session for new advisory board members;
- That minutes of advisory board meetings be posted on the town's website as they are approved;
- That advisory board chairs or Board of Aldermen liaisons contact members with poor attendance;
- That the Cemetery Commission and Cable T.V. Committee be dissolved;
- Which advisory boards have bylaws and which do not – should all boards have basic bylaws?
- Which advisory boards allow for Board of Aldermen liaisons to vote on issues?

VOTE: AFFIRMATIVE ALL

GUIDELINES FOR SELECTING ADVISORY
BOARD AND COMMISSION MEMBERS

Amended: 4/10/90, 6/27/2000, 1/15/2002, 4/9/2002, 4/18/2006, 2/27/2007

1. APPOINTMENTS

- a. Chairs of advisory boards make recommendations to the Mayor and Board of Aldermen for appointments to their respective boards. The Board of Aldermen will decide whether to accept the recommendation and make the appointment.
- b. The Mayor and Board of Aldermen and the advisory board chairs should work together to assure that the membership of the advisory board represents many sectors of the community and offers opportunities for new applicants to serve.
- c. In addition, applicants recommended should be committed to attending meetings, participating constructively in the work of the board, making fair decisions, and treating citizens, staff and other board members with respect
- d. Members are limited to two full terms. After completing two full terms, a member must take off one year before applying for re-appointment to the advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Board of Aldermen may make exceptions to this rule under the following circumstances:
 1. To retain diversity on an advisory board;
 2. To provide continuity in oversight of a major, on-going project;
 3. To keep a member who provides expertise otherwise unavailable on an advisory board (e.g., an engineer on the Planning Board or Board of Adjustment); or
 4. A lack of qualified applicants.
- e. Membership shall be limited to one seat on the following boards and commissions Board of Adjustment, Planning Board, Appearance Commission, Transportation Advisory Board, Recreation and Parks Commission, Cable T.V. Committee, Human Services Commission, Cemetery Commission, Environmental Advisory Board, Downtown Development Commission, Northern Transition Area Advisory Committee, Arts Committee and OWASA Board of Directors.

- f. Applicants serve three-year terms unless the applicant is filling an unexpired term.
- e. Appointments begin on February 1st.

2. APPLICATIONS FOR EXPIRED TERMS

- a. Each October the Town Clerk will advertise that the town is accepting applications for upcoming openings on advisory boards and commissions in February.
- b. All candidates must complete an application to be considered for appointment or reappointment.
- c. Applications will be taken for 30 days.
- d. Applications received after the October 31st deadline will be kept on file for future vacancies.
- e. Applications will be maintained on file until the following October.
- f. The Town Clerk will notify all applicants in writing of receipt of his/her application and give a status report on his/her application.

3. APPOINTMENTS TO EXPIRED TERMS

- a. By November 15th, the Town Clerk shall forward copies of applications to the chairs of the boards and commissions and the Mayor and Board of Aldermen.
- b. Each chair shall contact his/her applicants and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact Town staff in the event of a language barrier.) The chairs shall also talk with the applicants about their interest in serving on the advisory board. Board chairs may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and he/she will remove the application from consideration.

- c. By January 31st, the chair of each board shall make a written recommendation to the Mayor and Board of Aldermen for appointments to his or her board and complete an "APPLICANT(S) RECOMMENDED AT THIS TIME" form. This recommendation should include a brief explanation of how/why the selection was made. Copies of all applications and recommendation forms received shall be forwarded to the Mayor and Board of Aldermen.
- a. If there are more applicants than seats open, the Board Chair shall complete a **SUMMARY OF APPLICATIONS** form to submit with his/her recommendation(s).
- e. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
- f. If a recommendation has not been received from board chairs by January 31st, the Town Clerk shall contact the chairs and request a status report on his/her recommendation.
- g. By February 15th, the Mayor and Board of Aldermen will make appointments to boards and commissions to fill expired terms.

4. APPLICATIONS FOR UNEXPIRED VACANT TERMS

- a. If a vacancy occurs on a board or commission and the Town Clerk has two or more applications for that specific board or commission, no further advertisement will be necessary. If two or more applications are not on hand, the Town Clerk shall advertise the vacancy for one month.
- b. Upon receipt of any application, the Town Clerk shall notify the applicant in writing of receipt of his/her application and give a status report on whether vacancies exist.

5. APPOINTMENTS TO UNEXPIRED TERMS

- a. Within two weeks following the one-month advertisement, the Town Clerk shall forward copies of applications to the chair of the board or commission on which the vacancy exists along with copies to the Mayor and Board of Aldermen.
- b. The chair shall contact his/her applicants and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact the Town staff in the event of a

language barrier.) The board chair may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and he/she will remove the application from consideration.

- c. Within four weeks following the advertisement, the chair shall make a written recommendation to the Mayor and Board of Aldermen for appointment to his/her board and complete an **APPLICANT(S) RECOMMENDED AT THIS TIME** form. This recommendation should include how the selection was made. The chair should consult with the Mayor or the liaison to the Board if they have concerns or questions about making a recommendation. Copies of all applications received shall be forwarded to the Mayor and Board of Aldermen.
- d. If there are more applicants than number of seats open, the Board Chair shall complete a **SUMMARY OF APPLICATIONS** form to submit with his/her recommendation.
- e. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
- f. If a recommendation has not been received from the chair within four weeks following the advertisement, the Town Clerk shall contact the chair and request a status report on his/her recommendation.
- g. Within six weeks following the advertisement, the Mayor and Board of Aldermen will make the appointment to fill the unexpired term.

6. ATTENDANCE

- a. The chair of each board or commission shall file with the Town Clerk an attendance report on a quarterly basis indicating if members are present or absent.
- b. Unless the chair waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than 30% of the meetings during a 12-month period. The Town Clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have 10 days after receipt of such notice to waive the removal. If the chair fails to notify the Town Clerk in writing within ten days after receipt of such notice

ATTACHMENT F-5

that the automatic removal requirement should be waived, the Town Clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.

Sarah Williamson

From: Steven Stewart
Sent: Tuesday, October 14, 2008 10:37 AM
To: Sarah Williamson; Drew Cummings; 'brough@broughlawfirm.com'
Subject: Fw: Advisory Board recommendations

FYI.

----- Original Message -----

From: Randee Haven-O'Donnell <randee.haven-odonnell@da.org>
To: Steven Stewart; Mark Chilton <mark_chilton@hotmail.com>; joal broun <brounsj@mindspring.com>; Jacquelyn M. Gist <jmgist@email.unc.edu>; JohnH@self-help.org <JohnH@self-help.org>; Lydia Lavelle <lydlavelle@nc.rr.com>; Dan Coleman <dan-coleman@nc.rr.com>
Sent: Tue Oct 14 10:08:03 2008
Subject: Advisory Board recommendations

Dear All,
Reading through the emails recommendations re: Advisory Board standardization, I would recommend that we seek to standardize some aspects of Advisory Board communication. First and foremost-minutes. I suggest that minutes be formatted to include the following:

At the top: Advisory Board name, Date, Time of meeting, location and members in attendance.

Agenda
Synthesis of Discussion points
Actions taken
Next Steps

Additionally, I recommend that Advisory Board chairs not take a position on recommendation and share applicant qualifications for appointments with the Board. Thereby, freeing the Board of Aldermen to decide on the applicant without the potential conflict with/for Advisory Board Chairs.

Respectfully submitted,
Randee

"A master can tell you what he expects of you. A teacher, though, awakens your own expectations."

Randee Haven-O'Donnell
Durham Academy Educator

Town of Carrboro, NC Website - <http://www.townofcarrboro.org/>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

(int)

Sarah Williamson

From: Steven Stewart
Sent: Sunday, October 12, 2008 12:17 PM
To: Drew Cummings; Sarah Williamson
Subject: Fw: advisory board matters

FYI.

----- Original Message -----

From: Dan Coleman <dan-coleman@nc.rr.com>
To: Steven Stewart; Michael Brough <mike@broughlawfirm.com>
Cc: Lydia Lavelle <lydia@lydialavelle.com>; Jacquie Gist <JMGIST@EMAIL.UNC.EDU>; Joal Hall Broun <brounsj@mindspring.com>; John Herrera <johnh@self-help.org>; Randee Haven-O'Donnell <randee.haven-odonnell@da.org>; Mayor Chilton <mayorchilton@gmail.com>
Sent: Sun Oct 12 11:47:42 2008
Subject: advisory board matters

Steve, Mike:

I was looking over some of the advisory board provisions in the Town Code. I note that many of them do not specify BOA liaisons (e.g. ESC, EAB, Appearance). There is no provision in any case for an alternate or second liaison which we now have in several cases. Is it correct to assume that it is generally within the board's authority to appoint a liaison or alternate?

Also I note that some do not have term limits specified (e.g. EAB, Appearance).

Finally, it seems to me that it would be worthwhile to harmonize the Code provisions so that each advisory board adheres to general provisions common to all boards (e.g. appointment, removal, terms, officers) and a to limited, specific provisions particular to that board. Further, that in no case should a board have provisions differing from the general provisions unless there are regulatory requirements for it or they are implicit to the nature of the charge of that advisory board.

I would appreciate comments on these points on Tuesday if possible.

Thanks very much.

Dan

 Town of Carrboro, NC Website - <http://www.townofcarrboro.org/>

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